



# **COMMONWEALTH OF MASSACHUSETTS**

**MIDDLESEX, SS.**

## **TOWN OF MAYNARD**

Report, Budget, Recommendations, and Official Warrant

### **ANNUAL TOWN MEETING**

Monday, May 20, 2019 at 7:00 P.M.

FOWLER SCHOOL AUDITORIUM  
Three Tiger Drive

PLEASE READ AND BRING THIS DOCUMENT TO THE TOWN MEETING

---

### **SPECIAL NOTICE TO VOTERS**

On Monday May 13, 2019 at 7:00 p.m., a meeting will be held at the Maynard Town Building, Room 201, to discuss with any citizen who desires further information, as to the recommended budget and capital plan, and any special Articles in the Warrant to which the Finance Committee has made a recommendation. Explanation and discussion concerning these matters may be helpful in the interest of saving time at the Annual Town Meeting. Your participation is welcome.

## **ADA ADVISORY**

Anyone in need of special arrangements for the Town Meeting, such as a wheelchair or signing for the hearing impaired, please contact the Office of the Selectmen at (978) 897-1301 by May 13, 2019 in order that reasonable accommodations may be made.

## **PROCEDURES AT TOWN MEETING**

**Order of Articles:** Articles are voted on in the order they are presented unless Town Meeting votes to do otherwise.

**Secret Ballot Votes:** The Moderator determines whether or not an article requires a secret ballot according to Town By-laws. If the Moderator determines that an Open Vote applies to an article, at least 25 voters may request that a secret ballot vote be taken. The request for a secret ballot vote must be made prior to the open vote being taken.

**Amending an Article at Town Meeting:** Any time after a main motion has been made and seconded, but before being voted on, it is possible to amend the main motion:

1. Ask the Moderator for recognition.
2. Present a motion to amend verbally and submit a copy of the motion in writing to the Moderator. The motion to amend must include your name as sponsor, any change in appropriation and its source.
3. The motion to amend must be seconded.
4. The motion to amend must be voted on by Town Meeting separately from the main motion.
5. The motion to amend must pass by a simple majority vote.
6. More than one motion to amend can be made to the main motion, but must be presented and voted on one at a time. A motion to amend must be made before the main motion is voted on.
7. After all motions to amend are voted, the main motion, (or as amended), must be voted on.

**Reconsider an Article:** An article may be reconsidered, that is, revoted, **only** within thirty (30) minutes of the time that the main article (motion) was voted on. An article can only be reconsidered once. To reconsider:

1. Ask the Moderator for recognition.
2. Ask for reconsideration within the thirty (30) minute time limit. The Moderator can now finish present business, which may go on beyond thirty (30) minute limit. However, the Moderator shall take up the reconsideration as the next order of business.
3. At the proper time, present your motion for reconsideration and state your name.
4. At the Moderator's option, he can move the motion without further discussion.

## NECESSARY MAJORITIES\*

9/10 majority is required for unpaid bills of prior fiscal years (Special Town Meeting) that had no appropriation.

4/5 majority is required for unpaid bills of prior fiscal years (Annual Town Meeting).

2/3 majority is required for all borrowing, land acquisitions or transfers and zoning by-laws.

Simple majority is required for all else, such as: regular by-laws, current appropriations and transfers, unpaid bills of prior years that have money appropriated but arrived too late to be included.

### NOTE:

Yes and No votes only will be considered in the calculation of percentages. To figure the percentage, divide the Yes votes by the total Yes and No votes.

Example: 100 Yes, 50 No, and 20 Blanks shall be interpreted as:

$$\frac{100 \text{ Yes}}{100 \text{ Yes} + 50 \text{ No}} = 66.7\% \text{ or } 2/3$$

\*Please note these vote quanta are for example only and there may be other types of votes, which fall under each of the categories listed above.

## GLOSSARY OF TERMS USED AT TOWN MEETING

**APPROPRIATE:** The authority to tax and spend funds for the purpose stated.

**ASSESSMENT:** The estimated value of worth of a piece of property or a group of properties. Assessment of property is done within specific guidelines by the Board of Assessors.

**BY-LAWS:** The Town's guidelines – laws that cannot be deviated from “by-law.”

**CHERRY SHEET:** The state document that details the actual amount of state aid to the Town, and the charges the town must pay the state.

**DEBT LIMIT:** The maximum amount that a Town can borrow. In most cases, state law prohibits borrowing more than 5% of the total valuation of taxable property. There are certain exceptions to this limit.

**CERTIFIED FREE CASH:** The amount of Surplus Revenue over and above uncollected taxes of prior years, certified by the Director of Accounts as of June 30<sup>th</sup> each year.

**GENERAL FUND:** Account from which all transactions are made, pay bills, collections, etc.

**OVERLAY:** The amount raised by the Assessors in excess of anticipated expenditures (appropriations and charges) to cover abatements, etc.

**OVERLAY RESERVE:** A city, town, or district may appropriate overlay surplus for any lawful purpose, including funding any known or anticipated overlay deficit for any fiscal year. Any amount not appropriated by June 30 closes to undesignated fund balance in the General Fund.

**RESERVE FUND:** Fund under the control of the Finance Committee to provide for extraordinary or unforeseen expenditures, may only be appropriated at Annual Town Meeting.

**SURPLUS REVENUE:** The amount by which cash, accounts receivable, and other current assets exceed liabilities and reserve.

**STABILIZATION FUND:** A savings account. Each year an amount not exceeding 10% of the preceding years' taxation of real and personal property may be appropriated. This fund is intended for purchasing capital items, which the town would otherwise borrow for.

**The balances of the Town's Stabilization Funds are as follows:**

General Fund Stabilization	\$ 2,037,312.00
Capital Fund Stabilization	\$495,384.00
Water Enterprise Fund Stabilization	\$466,493.00
Sewer Enterprise Fund Stabilization	\$185,512.00

**The amounts of "Free Cash" and "Retained Earnings" as certified by Director of Accounts are as follows:**

General Fund – Free Cash	\$ 2,133,218.00
Water Enterprise Fund – Retained Earnings	\$554,856.00
Sewer Enterprise Fund – Retained Earnings	\$910,608.00

<u>Article #</u>	<u>Title</u>	<u>Department</u>	<u>Vote</u>	<u>Page #</u>
1	Town General Fund Budget Fiscal Year 2020	Board of Selectmen	Secret majority	7
2	Town Report Acceptance	Board of Selectmen	Open majority	7
3	Certified Free Cash Appropriation	Board of Selectmen	Secret majority	8
4	Obsolete Equipment, Material	Board of Selectmen	Open majority	8
5	Authorize Revolving Funds Chapter 44, Section 53E-1/2	Board of Selectmen	Secret majority	9
6	Acceptance of Massachusetts General Law Chapter 64G, Section 3A	Board of Selectmen	Open majority	10
7	Acceptance of Massachusetts General Law Chapter 64G, Section 3D(a)	Board of Selectmen	Open majority	10
8	Acceptance of Massachusetts General Law Chapter 64G, Section 3D(b)	Board of Selectmen	Open majority	11
9	Community Preservation Reserve Fund Appropriation Fiscal Year 2019	Community Preservation Committee	Secret majority	11
10	Community Preservation Fund Budget Fiscal Year 2020	Community Preservation Committee	Secret majority	12
11	Amend By-Law, Chapter 39, Section 1, Marijuana License Limit	Board of Selectmen	Open majority	13
12	Citizens Petition Rockland Avenue	Citizen Petition	Depends on Motion	14
13	Amend By-Law, Chapter 41, Creating Minimum Property Standards By-Law	By-Law Committee	Open majority	15
14	Amend By-Law, Chapter 42, Creating Vacant/Abandoned Properties By-Law	By-Law Committee	Open majority	20
15	Amend By-Law, Chapter 43, Municipal Charges Lien	By-Law Committee	Open majority	25
16	Amend By-Law, Delete Chapter 21, Section 23 Nuisances	By-Law Committee	Open majority	26
17	Water Enterprise Fund Budget Fiscal Year 2020	Board of Selectmen	Secret majority	27
18	Sewer Enterprise Fund Budget Fiscal Year 2020	Board of Selectmen	Secret majority	28

19	Sharing of Administrative Functions	Board of Selectmen/School Committee	Open majority	29
20	Amend By-Law, Chapter 1, Section 17D Town Meeting, Secret Ballot	By-Law Committee	Open majority	29
21	Appropriate Overlay Surplus	Board of Selectmen	Secret majority	30
22	Amend By-Law, Chapter 1, Section 8 Town Meeting, Reconsideration	By-Law Committee	Open majority	30
23	Amend By-Law, Chapter 34, Section 5A, Stormwater Management	By-Law Committee	Open majority	31
24	Amend By-Law, Chapter 38 Utility Poles	By-Law Committee	Open majority	32
25	Amend Town Zoning By-Law Section 3.1.2	Planning Board	Secret two-thirds	32
26	Amend Town Zoning By-Law Section 7.9	Planning Board	Secret two-thirds	33
27	Amend Town Zoning By-Law Section 9.4.2	Planning Board	Secret two-thirds	33
28	Amend Zoning By-Law Section 9.4.3	Planning Board	Secret two-thirds	34
29	Amend Town Zoning By-Law Section 9.4.4	Planning Board	Secret two-thirds	35
30	Amend Town Zoning By-Law Section 9.4.5	Planning Board	Secret two-thirds	36
31	Amend Town Zoning By-Law Section 9.4.5.1	Planning Board	Secret two-thirds	36
32	Amend Town Zoning By-Law Section 11.0	Planning Board	Secret two-thirds	37
33	Amend Town Zoning By-Law Section 11.0 To reflect Section 9.3.14	Planning Board	Secret two-thirds	39
34	Accept Easement Plan lot 152 and 152A, Map 25	Board of Selectmen	Secret majority	40
35	Home Rule Petition – Special Legislation Concerning Liquor License	Board of Selectmen	Open majority	42
	<b>Appendix A FY2020 Budget – General Fund</b>			<b>44</b>
	<b>Appendix – B Home Rule Petition – Special Legislation Concerning Liquor License</b>			<b>52</b>

**ARTICLE: 1 TOWN GENERAL FUND BUDGET FISCAL YEAR 2020**

To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide to meet the salaries and wages of Town Officers and employees, expense, and outlays of the Town Departments, and other sundry and miscellaneous, but regular, expenditures necessary for the operation of the Town for Fiscal Year 2020 (July 1, 2019 – June 30, 2020) and further, to accept and expend Federal and State Funds to offset certain salaries or expenses or outlays.

General Government	\$ 3,302,443.00
Public Safety	\$ 5,047,543.00
Education – Maynard	\$ 19,576,953.00
Education – Assabet	\$ 1,122,297.00
Public Works	\$ 2,095,646.00
Culture and Recreation	\$ 577,274.00
Debt Service	\$ 3,467,245.00
Reserve Fund	\$ 250,000.00
Employee Benefits	<u>\$ 8,316,255.00</u>

**Total General Fund Expenses      \$43,755,656.00**

To do or act thereon.

SPONSORED BY:                      Board of Selectmen  
 APPROPRIATION:                  \$43,755,656.00  
 FINCOM RECOMMENDATION: At Town Meeting

Comments: (Finance Committee) At Town Meeting.

Comments: (Sponsor Comments): See Attachment Appendix “A” – the appendix information is only a guide and is non-binding except as to the single raise and appropriation vote of \$ **43,755,656.00**

**ARTICLE: 2 TOWN REPORT ACCEPTANCES**

To hear and act upon the reports of Town Officers and Committees.

To do or act thereon.

SPONSORED BY:                      Board of Selectmen  
 APPROPRIATION:                  None  
 FINCOM RECOMMENDATION: Recommends

Comments: (Finance Committee): This is an annual procedural article to accept reports from various Town committees.

**ARTICLE: 3 CERTIFIED FREE CASH APPROPRIATION**

To see if the town will vote to appropriate from available free cash the following amounts for designated purposes:

Snow & Ice Deficit	\$ 310,000.00
Capital Stabilization	\$ 263,000.00
General Stabilization	\$ 150,000.00
Other Post-Employment Benefits (OPEB)	\$ 50,000.00
Reserve Fund	\$ 610,000.00
School & Municipal Building Roof Repair/Maintenance	\$ 100,000.00
Public Safety Radio Communications Upgrade	\$ 200,000.00
Roadway & Sidewalk Construction	<u>\$ 400,000.00</u>
Total Requested Appropriation	<u>\$2,083,000.00</u>

SPONSORED BY: Board of Selectmen  
 APPROPRIATION: \$2,083,000.00  
 FINCOM RECOMMENDATION: Recommends

Comments: (Finance Committee): This article would allow the Town to fund a number of important expenses and initiatives using this year's Certified Free Cash, including \$610,000.00 to the Reserve Fund to pay for work being performed at the Green Meadow Elementary School to address asbestos and other health/safety issues. (See also sponsor's comments in the warrant).

Comments: (Sponsor Comments): Free Cash is taxpayer money that has not been appropriated for spending. Traditionally, Maynard uses these funds to pay for one-time items or events, like a deficit in the snow and ice budget or a capital project.

**ARTICLE: 4 OBSOLETE EQUIPMENT, MATERIAL**

To see if the town will vote to authorize the Board of Selectmen to dispose of surplus and or obsolete equipment or materials, as authorized by M.G.L. c. 30B.

To do or act thereon.

SPONSORED BY: Board of Selectmen  
 APPROPRIATION: None  
 FINCOM RECOMMENDATION: Recommends

Comments: (Finance Committee): This is an annual procedural article to allow the Board of Selectmen to sell or dispose of surplus equipment in accordance with state law.

Comments: (Sponsor Comments): Annual article to allow sale/disposal of surplus equipment, if any, in accordance with state law.



**ARTICLE: 5            AUTHORIZE REVOLVING FUNDS CHAPTER 44,  
SECTION 53E ½**

To see if the Town will vote to authorize the total expenditures for the following revolving funds pursuant to M.G.L. c. 44 Section 53E ½ for the fiscal year beginning July 1, 2019 to be expended in accordance with the bylaws heretofore approved.

<b>Revolving Fund</b>	<b>Spending Limit</b>
Conservation Commission - Wetlands Bylaw Consultant Fees	\$25,000.00
Planning Board - Site Plan Review	\$25,000.00
Disposal - Drop Off Center	\$15,000.00
Board of Health - Licensing Fees	\$25,000.00
Council on Aging - COA Van Service	\$70,000.00
Sealer of Weights & Measures	\$5,000.00
Electrical/Wiring Inspection Services	\$65,000.00
Plumbing & Gas Inspection Services	\$50,000.00
Municipal Permitting	\$20,000.00
Recreation	\$20,000.00
<b>TOTAL OF ALL REVOLVING FUNDS</b>	<b>\$320,000.00</b>

To do or act thereon.

SPONSORED BY:                      Board of Selectmen  
 APPROPRIATION:                  None  
 FINCOM RECOMMENDATION:    Recommends

Comments: (Finance Comments): This is annual procedural article to authorize revolving funds so that the Town can collect and disburse money for certain stated purposes.

Comments: (Sponsor Comments): Revolving funds provide the flexibility to deposit funds and pay expenditures across fiscal years. The Town Meeting has previously established the funds listed above with specific allowed purposes and this article authorizes each fund's annual revolving limit.

**ARTICLE: 6            ACCEPTANCE OF MASSACHUSETTS GENERAL LAW, CHAPTER 64G, SECTION 3A**

To see if the Town will vote to accept M.G. L. c. 64G, § 3A, authorizing the imposition of a local excise upon the transfer of occupancy of a room in a bed and breakfast establishment, hotel, lodging house, short-term rental, or motel located within the Town of Maynard at a rate of 6% of the total amount of rent for each such occupancy, or pass any vote or take any action relative thereto.

SPONSORED BY:                      Board of Selectmen

APPROPRIATION:                  None

FINCOM RECOMMENDATION:    Recommends

Comments: (Finance Committee): This article would allow the Town to gain much needed tax revenue from hotels and short-term rentals located in primary residences that rent out for more than 14 days per year. (See also sponsor's comments in the Warrant).

Comments: (Sponsor Comments): Allows the Town to establish a tax on both hotels and short-term rentals found in primary residences, such as through Airbnb. While there is not currently a hotel located in the Town, and there are only a handful of other short-term rentals identified in the Town, acceptance of this General Law would allow the Town to tax up to the maximum legal amount in preparation for any future development. The Town's Economic Development Committee serves as an advisory body to the Town Administrator, and a quorum of this Committee supports the acceptance of this General Law.

**ARTICLE: 7            ACCEPTANCE OF MASSACHUSETTS GENERAL LAW CHAPTER 64G, SECTION 3D (a)**

To see if the Town will vote to accept M. G. L. c. 64G, § 3D (a), authorizing the imposition of a community impact fee upon the transfer of occupancy of professionally managed short-term rental units located within the Town of Maynard at a rate of 3% of the total amount of rent for each such occupancy, or pass any vote or take any action relative thereto.

SPONSORED BY:                      Board of Selectmen

APPROPRIATION:                  None

FINCOM RECOMMENDATION:    Recommends

Comments: (Finance Committee): This article would allow the Town to gain much needed revenue through imposition of a community impact fee on short-term rentals meeting certain criteria. (See also sponsor's comments in the Warrant).

Comments: (Sponsor Comments): while there is not currently a hotel located in the Town, acceptance of this portion of the General Law allows the Town to establish a tax on hotels up to the maximum legal amount in preparation for any future development. A quorum of the Town's Economic Development Committee supports the acceptance of this General Law.

**ARTICLE: 8            ACCEPTANCE OF MASSACHUSETTS GENERAL LAW,  
CHAPTER 64G, SECTION 3D (b)**

To see if the Town will vote to accept M.G. L. c. 64G, § 3D (b), authorizing the imposition of a community impact fee upon the transfer of occupancy of short-term rental units in two-family or three-family dwellings that includes the short-term rental operator's primary residence within the Town of Maynard at a rate of 3% of the total amount of rent for each such occupancy, or pass any vote or take any action relative thereto.

SPONSORED BY:                      Board of Selectmen  
APPROPRIATION:                    None  
FINCOM RECOMMENDATION:      Recommends

Comments: (Finance Committee): This article would allow the Town to gain much needed revenue through imposition of a community impact fee on short-term rentals meeting certain criteria. (See also sponsor's comments in the Warrant).

Comments: (Sponsor Comments): While there are only a handful of short-term rentals operating out of primary residences in the Town, acceptance of this portion of the General Law allows the Town to establish a tax on this sort of short-term rentals up to the maximum legal amount in preparation for any future expansion of this market in the Town. A quorum of the Town's Economic Development Committee supports the acceptance of this General Law.

**ARTICLE: 9            COMMUNITY PRESERVATION RESERVE FUND  
APPROPRIATION FISCAL YEAR 2019**

To see if the Town will vote to appropriate from Community Preservation Funds the amounts recommended by the Community Preservation Committee (CPC) for community preservation projects, as presented to the (CPC), with each item to be considered a separate appropriation, in accordance with the requirements of M. G. L. Chapter 44B.

Appropriations:

From the Community Housing Reserve Fund the amount of **\$29,000**, and from the Budgeted Reserve Fund the amount of **\$21,000**, for the Maynard Affordable Housing Trust Fund.

From the Historic Preservation Reserve Fund: The amount of **\$10,000** for the Restoration of Historic Grave Stones, with unexpended funds as of June 30, 2021 being returned to their funding source.

From the Open Space Reserve Fund: The amount of **\$20,000** for the Conservation Fund.

From the Open Space Reserve Fund: The amount of **\$7,094** for the Ice House Landing Improvements, with unexpended funds as of June 30, 2021 being returned to their funding source.

From the Budgeted Reserve Fund: The amount of **\$50,000** for the Fowler Field Irrigation Project, with unexpended funds as of June 30, 2021 being returned to their funding source.

From Budgeted Reserve Fund: The amount of **\$10,000** for the Replacement of Alumni Field Bleachers, with unexpended funds as of June 30, 2021 being returned to their funding source.

To do or act thereon.

SPONSORED BY: Community Preservation Committee  
 APPROPRIATION: \$147,094  
 FINCOM RECOMMENDATION: Recommends

Comments (Finance Committee): This article would appropriate money from the Town's current Community Preservation Reserve Funds for six Community Preservation projects, as recommended by the Town's Community Preservation Committee (CPC). (See also sponsor's comments in the Warrant).

Comments (Sponsor Comments): The funding for these projects comes from a 1.5% real estate tax surcharge (\$100,000.00 assessed value exemption) on residential properties and a partial state match. Applications for projects can come from community groups and town departments. Project eligibility to use this funding is defined by state Community Preservation Act legislation. The funding for the Maynard Affordable Housing Trust will add to funding provided last year to support initiatives to create affordable housing in Maynard. The restoration of historic grave stones will provide for the cleaning and repair of at least 20 of the earliest grave stones in the Glenwood Cemetery in preparation for Maynard's Sesquicentennial Celebration. The funding for the Conservation Fund will add to funding provided in past years to support efforts to purchase property for conservation protection. The Ice House Landing project will upgrade the amenities and features of the park located on the Assabet River at Winter Street. The funding for the Fowler Field Irrigation project adds to Community Preservation funding from last year, and funding from other sources, to restore the soccer fields to usable condition. The funding for the Replacement of the Alumni Field Bleachers project is a symbolic amount to demonstrate the CPC's desire to assist the Town and School Committee as they seek funding sources for the anticipated \$375,000 project.

## **ARTICLE: 10 COMMUNITY PRESERVATION FUND BUDGET FISCAL YEAR 2020**

To see if the Town will vote to appropriate or reserve from FY2020 Community Preservation Fund revenues in the amounts recommended by the Community Preservation Committee (CPC), with each item to be considered a separate appropriation:

### **Appropriations:**

Administrative & Operating Expenses	\$10,000.00
Long Term Debt. Principal	\$100,000.00
Long Term Debt. Interest	\$24,500.00

**Reserves:**

Historic Preservation Reserve	\$30,000.00
Open Space Reserve	\$30,000.00
Community Housing Reserve	\$30,000.00
Budgeted Reserve	\$75,500.00

**TOTAL FY2020 BUDGET** **\$300,000.00**

To do or act thereon.

SPONSORED BY: Community Preservation Committee  
 APPROPRIATION: \$300,000.00  
 FINCOM RECOMMENDATION: Recommends

Comments: (Finance Committee): This article would appropriate and reserve money from the coming year's Community Preservation Fund revenues in a manner recommended by the Town's CPC and with 10% reserved in each of three areas – historic preservation, open space, and community housing – as required by law. (See also sponsor's comments in the Warrant).

Comments: (Sponsor Comments): Community Preservation Fund monies come from a 1.5% real estate tax surcharge on Maynard residential properties and a partial state match. This article authorizes the FY2020 amounts to be added to the community preservation reserve funds. The funds can be used to support a variety of community projects, as defined by state Community Preservation Act legislation. Applications for projects are reviewed annually, generally in the fall, and can come from community groups and town departments. This article also includes funding to cover ongoing debt payments on the municipal golf course land, which was purchased as a Community Preservation Fund project.

**ARTICLE: 11      AMEND BY-LAW CHAPTER 39, SECTION 1, MARIJUANA  
 LICENSE LIMIT**

To see if the Town will vote to amend the Town of Maynard General By-laws, Chapter 39, Marijuana License, by adding the following new section, and renumbering each subsequent sections accordingly, or take any action thereto:

Section 1. The number of Marijuana Retail Licenses issued in the Town of Maynard shall be limited to the greater of: two (2) or twenty (20%) percent of licenses issued in the Town of Maynard for retail sale of alcoholic beverages not to be drunk on the premises where sold, which shall be calculated by rounding up to the next whole number.

To do or act thereon.

SPONSORED BY: Board of Selectmen  
 APPROPRIATION: None  
 FINCOM RECOMMENDATION: Does not Recommend

Comments: (Finance Committee): While limiting the number of licenses for recreational marijuana may be appropriate, this article would limit the number of licenses to only two for the Town, which in the view of the Finance Committee would curb much needed revenue from taxes and other fees, as well as unnecessarily restrict access by residents to recreational marijuana and related products. It would also create a potential monopoly situation if either of the two licenses were to be unused or suspended for some period of time.

Comments: (Sponsor Comments): The Town's By-law related to marijuana retail licenses does not include a limitation on the number of licenses permitted to be issued. As of March 2019, the Town has two (2) Host Community Agreements with prospective marijuana retail license applicants. Those prospective applicants are submitting applications for a provisional certificate from the state's Cannabis Control Commission, as well as a Special Permit from the Town's Planning Board. Pending the approvals of these applications, the prospective applicants may apply for a marijuana retail license from the Board of Selectmen. Proponents of this amendment to the Town's By-law wish to limit marijuana retail licenses to roughly 20% of retail liquor licenses in town.

## **ARTICLE: 12      CITIZENS' PETITION ROCKLAND AVENUE**

To see if the town will vote to accept Rockland Avenue and begin the process that allows the following road to be recognized by the Town of Maynard as an accepted road.

To do or act thereon.

SPONSORED BY:	CITIZEN PETITION
APPROPRIATION:	UNKNOWN
FINCOM RECOMMENDATION:	At Town Meeting

Comments: (Finance Committee): At Town Meeting (See also sponsor's comments in the Warrant).

Comments: (Sponsor Comments): Rockland Avenue is a 7/10 of a mile non-accepted town road that has been in existence since 1935 when the home at 78 Rockland Avenue was built. Pavement currently exists on 2/10 of this roadway beyond the soccer fields.

Rockland Avenue is open to the public and traversed by Maynard residents as well as those from surrounding communities.

A former Maynard Board of Selectmen and former Town Administrator, Michael Gianotis, addressed a letter dated November 1, 1993 to Lunn and Sweeney Corp., then owner of 78 Rockland Avenue, stating that the Town of Maynard is now owner of the property formally owned by Patrick Lalli thus becoming majority owner of Rockland Avenue.

While the Town of Maynard intends to try and maintain Rockland Avenue for public safety purposes, it is understood that Rockland Avenue will not be placed on the DPW list for future resurfacing and/or paving nor will the road be able to receive or utilize Chapter 90 State funds for maintenance and/or improvements until recognized by the Town of Maynard as an accepted road.

We ask that the necessary steps be taken to make Rockland Avenue an accepted road.

Steps required, ask that the Town of Maynard accept Rockland Avenue for the greater good of the Town.

Ensure that the road meets state/Town road standards – or that the Board of Selectmen agrees to accept the road even if it is not compliant with State/Town Standards. To begin the necessary steps for public comments and eventual vote at Town Meeting. To be placed on the DPW improvement and resurfacing list as the road requires timely maintenance and will continue to cost the town additional annual money for temporary fixes.

Benefits, Rockland Avenue provides significant tax dollars being paid by numerous residents as well as a private business that provides parking and storage to many local contractors. Improving the road would increase safety for the residents and contractors as well as add property value increasing the tax base.

Rockland Avenue serves as home to the Rockland Avenue Water Treatment facility. The Water Department must access this road daily. Improving the road would increase the safety for town officials as well as decrease the need for costly repairs and maintenance to town owned equipment due to the road conditions.

Improving access to the multiple walking trails as well as the new Assabet Valley Rail Trail will attract more people to visit the Town of Maynard. More people visiting from outside communities will generate increased revenues for the town.

The Rockland Soccer fields serve as a home for practice and games to over 300 Town of Maynard youth as well as outside community residents that visit the field for recreational purposes from April to November.

Accepting the road will allow for potential additional Chapter 90 funds to be received that could be used to help maintain the safety of the road as well as provide proper speed signage.

Rockland Avenue has historically cost the town thousands of dollars annually to maintain without long lasting benefits. Additional Chapter 90 funds could help offset a portion of the annual maintenance costs currently being spent by the Department of Public Works to maintain this roadway.

Accepting Rockland Avenue would help clarify the confusion that currently exists regarding who is responsible for maintaining a private non-accepted road with public access, public facilities and public soccer fields.

## **ARTICLE: 13      AMEND BY-LAW, CHAPTER 41, CREATING MINIMUM PROPERTY STANDARDS BY-LAW**

To see if the town will vote to amend the Town By-Laws by creating a new By-law, Chapter 41 Minimum Property Standards of Commercial/Industrial Properties as follows:

### **BY-LAW**

### **CHAPTER 41**

### **MINIMUM PROPERTY STANDARDS OF COMMERCIAL/INDUSTRIAL PROPERTIES**

#### **Section 1.    Purpose and Scope.**

- A. Purpose.** The purpose of this By-law is to promote the health, safety, and welfare of residents, businesses and stakeholders within the Town of Maynard. By protecting the Town against substandard, dangerous or unsanitary conditions, including, but not limited to unlawful entry, vandalism, rodent infestation, fire hazard etc., Maynard can preserve property values, maintain neighborhood integrity, and safeguard its economic vitality.

The By-law will:

1. Enable the Town to proactively ensure property compliance with the By-laws by establishing standards of minimum maintenance for the exterior of commercial and industrial buildings and structures.
  2. Ensure Maynard's business districts remain in a condition that:
    - a. Protects existing businesses from negative effects of under-maintained property.
    - b. Encourages private investment.
    - c. Contributes to an atmosphere of commercial viability.
- B. Scope.** This By-law shall apply to all commercial, industrial and multi-family (four (4) units and above) structures within the Town of Maynard, except where such buildings and structures are otherwise specifically regulated by other applicable Town regulations. Condominium ownership shall not exclude a multi-family property from this By-law. A multi-family development with multiple structures need not be attached to be subject to this By-law.

## Section 2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

- A. Building** - A structure enclosed within exterior walls, built, erected and framed of a combination of materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals or property.
- B. Building Commissioner** - The Building Commissioner of the Town of Maynard and any designee.
- C. Enforcement Agent** - The Building Commissioner, the Board of Health Agent, the Fire Chief, the Police Chief and/or their designated agents. In instances involving jurisdiction of more than one (1) Enforcement Agent, the Building Commissioner shall designate the lead Enforcement Agent for the case.
- D. Owner** - A person or entity who, alone or severally with others:
1. Has legal title to any building or parcel of land, vacant or otherwise;
  2. Has legal or equitable title to any building or has care, charge or control of any building in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the holder of legal title; or
  3. Is a tenant with a legal right to possess an entire building or property; or
  4. Is a mortgagee in possession of any building or property; or
  5. Is an agent, trustee, receiver or other person appointed by the courts and vested with possession or control of a building or property.



**E. Planning Department** - The Office of Municipal Services.

**F. Planning Director** - The Office of Municipal Services Director or designee.

**Section 3. Maintenance Requirements for Commercial and Industrial Properties.  
Minimum Standards Established.**

- A. The property owner or designated governing association shall be responsible for ensuring commercial and industrial buildings comply with the standards of minimum maintenance below. The Enforcement Agent, appropriate to their specific area of jurisdiction, shall determine if and when violations of this section exist.
1. The exterior of all property areas and yards shall be maintained in a clean and sanitary condition, free from debris, garbage, refuse and other hazards that may result in unsafe circumstances, create unhealthy conditions, cause unlawful environmental degradation or otherwise negatively affect the property or the surrounding area.
  2. Exterior walls. All exterior walls shall be maintained in such a condition as to prevent unauthorized entry, infestations, vandalism or other potentially unsafe or unhealthy conditions.
  3. Doors and doorways. Every exterior doorframe shall have a door to prevent unauthorized entry, infestations, vandalism or other potentially unsafe or unhealthy conditions.
  4. Display windows, signage, exterior fixtures and entrances shall be kept clean and maintained in good repair to prevent unauthorized entry, infestations, vandalism or other potentially unsafe or unhealthy conditions or otherwise negatively affect the property or the surrounding area. Boarding up of windows or entrances for a period exceeding two (2) weeks is prohibited unless authorized by the Enforcement Agent. Extensions granted by the Enforcement Agent shall be for a specified period of time.
  5. Fences. All fences on the premises shall be maintained so that they do not constitute a hazard, blight or condition of disrepair. Examples of hazards, blight or conditions of disrepair are inclusive of, but not limited to, leaning fences, fences that are missing slats or blocks, graffiti, or rotting or damaged materials.
  6. Alleys and passageways. All alleys and passageways shall be kept clean and free of debris by the property owner or designee. Adjacent properties are responsible for maintaining alleys and passageways to the center line of said alley or passageway.
  7. Storage in Yards. In order to protect Maynard's business districts from negative effects of under-maintained property, and maintain an environment of commercial viability, yards shall not be used to store equipment, appliances, or building materials without screening from street view. Front yard storage of these items is prohibited, however, this does not apply to merchandise for sale by the business carried out on the premises provided it is located in a properly zoned district. Screening does not relieve the property owner of the requirement to

comply with the regulatory requirements of the Conservation Commission or any other appropriate board/agency.

8. Dumpsters shall be screened such that they are not visible from the street. This requirement shall become effective two (2) years from date of acceptance by the Town Meeting of this By-law.
  9. Overgrowth. No hedge, shrub, tree or other vegetation shall overhang, extend or protrude into any street, sidewalk or public alley in a manner which obstructs or impedes the safe and orderly movement of persons or vehicles. Nothing in this subsection relieves the property owner of the requirement to obtain, from the Conservation Commission or any other appropriate board/agency, all necessary permits/approvals for the removal of such vegetation.
  10. Vacant lots. Vacant lots shall be free from any accumulation of noxious weeds, overgrowth, combustible or noncombustible materials, debris, refuse, rubbish or garbage, physical hazards, or rodent harborage and infestation.
- B.** Compliance with this By-law shall not relieve the owner of any obligations set forth in any other applicable By-law, regulation, codes, covenant conditions or restrictions and/or association rules and regulations. In case of a conflict with these rules and regulations, the most restrictive shall apply.

#### **Section 4. Unsafe Buildings.**

If the Building Commissioner determines the building to be unsafe, the Commissioner may act immediately in accordance with the Massachusetts State Building Code to protect public safety. Furthermore, nothing in this By-law shall abrogate the powers and/or duties of municipal officials to act pursuant to any general statutory authority including, without limitation, M.G. L. c. 139, § 1 et seq. and M.G.L. c. 143, § 6 et seq.

#### **Section 5. Violations and Penalties; Enforcement.**

- A.** Violations of any portions of this By-law shall be punishable by a fine of \$100 per violation, with each day the violation continues constituting a separate violation. However, the Building Commissioner and Planning Director (acting together) may waive the fine in total or in part upon the abatement of the violation(s).
- B.** The Enforcement Agent or his/her designee shall enforce all provisions of this By-law and shall institute all necessary administrative or legal action to assure compliance. Any owner found to be in violation of this By-law shall receive written notice and a minimum of seven (7) days to remedy all violations prior to the institution of any enforcement action by the Enforcement Agent. Said notice is to be served upon the owner(s) either in person, by registered mail, return receipt requested, or by posting said notice at the site of the violation. The Building Commissioner, acting on behalf of the Town of Maynard, may also bring a civil action in a court of competent jurisdiction seeking equitable relief to enforce this By-law. This By-law may also be enforced through non-criminal disposition pursuant to M.G.L. c. 40, § 21D and in accordance with Chapter 15 of the Town By-laws.

#### **Section 6. Severability.**

If any provision of this By-law is held to be invalid by a court of competent jurisdiction, such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

### **Section 7. Enforcement of Other Regulations.**

Nothing herein shall prevent the Town of Maynard from enforcing other applicable sections of the Massachusetts State Building Code or other applicable sections of Massachusetts General Laws, including but not limited to M.G.L. c. 111 (Public Health), and c. 139, § 3A (recovery of abatement costs).

### **Section 8. Appeals.**

Any person aggrieved by a decision issued hereunder may appeal said decision to the Board of Selectmen in the Town within twenty-one (21) days of said decision.

### **Section 9. Inspections.**

The Enforcement Agents, or their designees, shall have the authority to periodically inspect the exterior of any building subject to this By-law for compliance.

The Building Commissioner shall have the discretionary authority to seek immediate disconnection of utilities if a potential hazard that may be dangerous to life and limb is present, through authorities having jurisdiction.

To do or act thereon.

SPONSORED BY:	By-Law Committee
APPROPRIATION:	None
FINCOM RECOMMENDATION:	Recommends

Comments: (Finance Committee): This article would establish reasonable and legitimate minimum property standards and maintenance requirements for commercial and industrial properties designed to enhance safety, preserve property values, and increase economic activity. (See also sponsor's comments in the Warrant).

Comments: (Sponsor Comments): Town staff has received numerous requests from individual residents, business owners and other stakeholders to address the sub-standard physical condition of some commercial properties throughout Maynard. The requests typically express that conditions are: hurting existing businesses, impeding new investment, and contributing to some level of community angst.

Maynard is not currently structured to be proactive in commercial property code enforcement. Existing By-laws do in fact allow for enforcement when certain sub-standard conditions exist, however the processes are cumbersome, there is no dedicated staff for enforcement and the specific requirements are not necessarily clear.

This By-law will provide:

- a simple, equitable and effective tool to ensure commercial properties are maintained to minimum standards. By utilizing Town staff to supplement identification of sub-

standard properties, the enforcement agent's time is utilized more efficiently than if operating alone.

- easy to understand minimum property maintenance standards for commercial property.
- a mechanism that allows consistency in the enforcement of minimum property standards.

**ARTICLE: 14      AMEND BY-LAW, CHAPTER 42, CREATING VACANT/ABANDONED PROPERTIES BY-LAW**

To see if the town will vote to amend the Town By-Laws by creating a new By-law, Chapter 42 Vacant/Abandoned Properties as follows:

**BY-LAW**

**CHAPTER 42**

**VACANT/ABANDONED PROPERTIES**

**Section 1.    PURPOSE AND SCOPE.**

- A. Purpose.** The purpose of this By-law is to promote the health, safety, and welfare of residents, businesses and stakeholders within the Town of Maynard by ensuring vacant or abandoned properties remain in a condition that does not negatively affect residents, properties, businesses or the Town in general.

Vacant/abandoned properties can degrade Maynard's business districts and neighborhoods, frustrate local planning/development efforts, create increased specific risks of fire damage, vandalism and unlawful entry or uses, give rise to public health and safety hazards and prove detrimental to Maynard's economic vitality.

This By-law requires all property owners to register and properly maintain vacant properties as defined in Section 3 of this By-law.

- B. Scope.** This By-law shall apply to all residential, commercial, and industrial structures within the Town of Maynard, except where such buildings and structures are otherwise specifically governed by other applicable Town regulations.

**Section 2.    DEFINITIONS.**

As used in this By-law the following terms shall have the meanings indicated:

**A. Abandoned –**

1. Residential: "Abandoned" as applied to residential buildings means a building or structure which is not being used or occupied as a residence and shows visible signs of substantial physical distress, including, but not limited to, boarded-up or broken windows or doors, fire damage, collapsed roofs, exposure to the elements, susceptibility to unauthorized entry, disconnected utilities, the accumulation of trash, junk, and/or debris, or that appears to pose a risk to public safety, as determined by the Enforcement Agent. Abandoned

does not include a building that is unoccupied while undergoing renovations for which a valid building permit exists, or while undergoing repairs due to fire or other casualty, or that is temporarily vacant due to seasonal absences.

2. Nonresidential: "Abandoned" as applied to any building other than a residential building shall mean any building or structure which is not legally occupied or has been wholly vacant for sixty (60) consecutive days, and shows visible signs of substantial physical distress, including, but not limited to, boarded-up or broken windows or doors, fire damage, collapsed roofs, exposure to the elements, susceptibility to unauthorized entry, disconnected utilities, the accumulation of trash, junk, and/or debris, or that appears to pose a risk to public safety, as determined by the enforcement agent. Abandoned does not include a building that is unoccupied while undergoing renovations for which a valid building permit exists, or while undergoing repairs due to fire or other casualty, or that is temporarily vacant due to seasonal absences.
- B. Building** - A structure enclosed within exterior walls, built, erected and framed of a combination of materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals or property.
- C. Building Commissioner** - The Building Commissioner of the Town of Maynard and any designee.
- D. Enforcement Agent** - The Building Commissioner, the Director of the Board of Health, the Fire Chief, the Police Chief, and/or their designated agents. In instances involving jurisdiction of more than one (1) Enforcement Agent, the Building Commissioner shall designate the lead Enforcement Agent for the case.
- E. Legally Occupied** - Occupied in accordance with the provisions of the Massachusetts State Building Code.
- F. Owner** - A person or entity who, alone or severally with others:
1. Has legal title to any building or parcel of land, vacant or otherwise;
  2. Has legal or equitable title to any building or has care, charge or control of any building in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the holder of legal title; or
  3. Is a tenant with a legal right to possess an entire building or property; or
  4. Is a mortgagee in possession of any building or property; or
  5. Is an agent, trustee, receiver or other person appointed by the courts and vested with possession or control of a building or property; or
  6. Is an officer or trustee of an association of unit owners of a condominium or cooperative which contains a vacant property.
- G. Planning Department** - The Office of Municipal Services.
- H. Planning Director** - The Office of Municipal Services Director or designee.
- I. Public Art** - Works of art for public benefit and viewing, approved by the

Maynard Cultural Council, for which owners have agreed to the temporary display inside storefront windows or upon other safe, visible exterior surfaces of vacant properties for agreed-upon time periods and other material terms.

**J. Vacant Building** - Any unoccupied commercial or industrial real property which:

1. Is not legally occupied, is abandoned, or is not used for a period of at least twenty- one (21) consecutive days or longer by occupants having custody or legal right of entry to such property; or
2. Which is intermittently occupied by persons with legal right of entry, but is determined by the Building Commissioner to exhibit dilapidated walls, roof, windows, or doors, which fail to prevent the entry of a trespasser for a period of more than seven (7) days.

**K. Vacant Lot** - A vacant lot is a parcel of land that currently has no buildings (or improvements) on it.

**Section 3. Vacant/Abandoned Commercial, Industrial, and Residential Properties**

**A. Owner's Responsibilities**

1. The owner of a vacant building shall maintain the structure in accordance with all applicable local and state Sanitary Codes, Building Codes and Fire Codes, pertaining to the external/visible maintenance of the building and major system maintenance of the property.
2. The owner shall promptly repair all broken windows, doors, other openings and any unsafe conditions at a vacant building. Boarding up of open or broken windows and doors is prohibited except as a temporary measure authorized by the Building Commissioner.
3. The owner shall maintain the building and property for the duration of the vacancy or abandonment. The owner shall remove any accumulated trash, and any graffiti shall be removed from the property by the owner within seven (7) days after notification by the Building Commissioner and/or designee.
4. It shall be the responsibility of the owner of any building whose utilities have been shut off for a period exceeding six (6) months to inform the Building Commissioner and to have those utilities removed or cut and capped as directed by the Building Commissioner and/or designee.
5. The owner may include advertising materials in the vacant space or displayed in the vacant property's street-facing windows indicating the availability of the space. Such advertising materials must be approved by the Building Commissioner.

**B. Registration of Vacant/Abandoned Residential, Commercial, and Industrial Properties.**

1. Prior to, or not more than twenty-one (21) days after a unit or any portion of a property becomes vacant, as defined herein, the owner(s) shall register the vacancy with the Office of Municipal Services. The registration shall state

if the property is vacant at the time of filing and detail the owner's efforts to regain occupancy. Once the building is no longer vacant or is sold, the owner shall provide proof of sale or lawful occupancy to the Office of Municipal Services.

2. The Office of Municipal Services may exempt a property owner from the provisions of this By-law upon the presentation of evidence, in such form as may be convincing to them, that the failure to use or occupy a building for a period in excess of 21 days does not violate the purpose or intent of this By-law.

#### **C. Annual Registration Fee, Failure to Pay, Waiver on Vacant/Abandoned Properties.**

1. On or before October 15 of each calendar year, the Town shall send a billing statement, setting forth the annual registration fee, to the owner of the vacant property. The annual registration fee shall be set by the Board of Selectmen pursuant to M.G.L. c. 40, § 22F.
2. On or before November 15 of each calendar year, the owner of any vacant property shall pay to the Town an annual registration fee to cover the administrative cost of monitoring and ensuring the security and proper maintenance of such building, as identified in said billing statement. Failure to pay the annual registration fee shall be a violation of this By-law, and the full fee shall be deemed an assessment resulting from a violation of this By-law. Such fee, and any fines issued for violations of this By-law, shall constitute a "municipal charges lien" on the property, to be collected in accordance with M.G.L. c. 40, § 58.
3. Owners may apply for a waiver of the annual registration fee on or before October 1 of each calendar year, requesting waiver of some, or the entire fee on grounds of demonstrable financial hardship, or by agreeing in writing to display public art as defined herein for the term of a vacancy. Waivers for public art display will be granted only as sufficient public art is available, appropriate to the location for display, and the Town, artist, and owner agree to terms of exhibition as set forth by the Office of Municipal Services.

#### **D. Vacant lots.**

All vacant lots falling under the Department of Revenue/Division of Local Services property type classification codes 1 (Residential), 3 (Commercial), and 4 (Industrial) shall be free from any accumulation of noxious weeds, overgrowth, combustible or noncombustible materials, debris, refuse, rubbish or garbage, physical hazards, or rodent harborage and infestation.

### **Section 4. Inspections.**

The Enforcement Agents, or their designees, shall have the authority to periodically inspect the exterior of any building subject to Section 3 of this By-law for compliance.

### **Section 5. Severability.**

If any provision of this By-law is held to be invalid by a court of competent jurisdiction, such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

#### **Section 6. Enforcement of Other Regulations.**

Nothing herein shall prevent the Town of Maynard from enforcing other applicable sections of the Massachusetts State Code or other applicable sections of Massachusetts General Laws, including but not limited to M.G.L. c. 111 (Public Health), and c. 139, § 3A (recovery of abatement costs).

#### **Section 7. Appeals.**

Any person aggrieved by a decision issued hereunder may appeal said decision to the Board of Selectmen in the Town within twenty-one (21) days of said decision.

To do or act thereon.

SPONSORED BY: By-Law Committee

APPROPRIATION:

FINCOM RECOMMENDATION: Recommends

Comments: (Finance Committee): This article would define vacant and abandoned properties and establish maintenance responsibilities for owners of such properties designed to enhance safety, preserve property values, increase economic activity, and uphold community well-being. (See also sponsor's comments in the Warrant).

Comments: (Sponsor Comments): The proposed By-law is intended to ensure vacant or abandoned properties remain in a condition that does not negatively affect neighboring residents, properties, businesses or the Town in general. This proposed bylaw is the product of a collaborative effort between community residents and property owners and the Town to address the potential for blight and safety hazards which can accompany commercial, industrial and residential property vacancies.

Town staff has received numerous requests from individual residents, business owners and other stakeholders to address the sub-standard physical condition of some commercial properties throughout Maynard. Additionally, feedback from the Economic Development Committee's 2016 outreach meetings with business owners, and Master Plan Steering Committee's two Community Survey respondents (consisting of over 350 respondents) all identified the condition of commercial properties as a concern they would like to see addressed.

This By-law requires all property owners to register property vacant for a period 21 or more days and properly maintain properties to a level consistent with applicable Sanitary, Building, and Fire Codes.

This By-law will provide:

- A way for the Town to monitor vacant structures, ensuring they remain in a safe and sanitary condition.
- A plan to utilize vacant properties to enhance, rather than detract from, certain areas through the installation of art.
- The prevention of blight in Maynard's residential, commercial or industrial areas.



## **ARTICLE: 15      AMEND BY-LAW, CHAPTER 43, MUNICIPAL CHARGES LIEN**

To see if the town will vote to amend the Town By-Laws by creating a new By-law, Chapter 43 Municipal Charges Lien as follows:

### **BY-LAW**

### **CHAPTER 43**

### **MUNICIPAL CHARGES LIEN**

#### **Section 1: Authority.**

This By-law is adopted pursuant to the authority of M.G. L. c. 40, § 21 and M.G. L. c. 40, § 58, and any other relevant statutes and regulations.

#### **Section 2: Purpose.**

The purpose of this section is to establish a municipal charges lien program to provide a cost-effective method of collecting a charge, fine, penalty, and/or fee assessed against an owner of real property in the Town who fails and/or refuses to pay said charge or charges, fine or fines, penalty or penalties, and/or fee or fees when due, by placing a lien upon real estate owned by the property owner.

#### **Section 3: Applicability.**

The municipal charges lien shall apply to the following municipal charges and/or fees:

- A. Charges, fines, penalties, and/or fees including interest and all costs to record said lien(s) in the Middlesex South Registry of Deeds for violations of the Minimum Property Standards of Commercial/Industrial Properties By-law, Chapter 41.
- B. Charges, fines, penalties, and/or fees including interest and all costs to record said lien(s) in the Middlesex South Registry of Deeds for violations of the Vacant/Abandoned Properties By-law, Chapter 42.

#### **Section 4: Lien Takes Effect.**

The Municipal Charges Lien will take effect upon the recording of a statement of unpaid municipal charges, fines, penalties, and fees, setting forth the amount due, including recording costs, the address(es) of the land to which the lien is to apply and the name of the assessed owner.

#### **Section 5: Collection of the Lien.**

- A. The Treasurer-Collector shall be in charge of placing the lien.

- B. The Treasurer-Collector, who is responsible for collecting the charge, fine, or penalty shall notify the Assessors of all unpaid citations that have not been paid or appealed to the Court at the end of each month.
- C. The Assessor shall prepare a statement of Municipal Charges Lien for each person from the list(s) received from the Town Clerk and shall forward said statement of lien to the Treasurer-Collector who shall cause said statement(s) to be recorded in the Middlesex South Registry of Deeds.

#### **Section 6: Unpaid Municipal Charges Liens.**

- A. If a charge, fine, penalty, or fee secured by the lien is unpaid when the Assessors are preparing the real estate tax list and warrant, the Tax Collector shall certify the charge or penalty to the Assessors' Department and the Assessors shall add the charge or fee to the next property tax bill to which it relates, and commit it with the warrant to the collector as part of the tax.
- B. If the property to which the charge, fine, penalty, and/or fee relates is tax exempt, the charge or fee shall be committed as a tax on said property.

#### **Section 7: Release of the Lien.**

The Municipal Charges Lien may be discharged by filing a certificate from the Tax Collector that all municipal charges or fees constituting a lien, together with any interest and costs have been paid or legally abated. All costs of recording or discharging a lien under this section shall be borne by the owner of the property.

To do or act thereon.

SPONSORED BY:	By-Law Committee
APPROPRIATION:	None
FINCOM RECOMMENDATION:	Recommends

Comments: (Finance Committee): This article would establish a mechanism for collecting municipal charges, fines, penalties, and fees associated with the proposed Minimum Property Standards and Vacant/Abandoned Properties by-laws proposed in Articles 13 and 14.

Comments: (Sponsor Comments): The purpose is to provide a municipal charges lien program for the enforcement of the Property Maintenance and the Vacancy By-laws.

#### **ARTICLE: 16      AMEND BY-LAW, DELETE CHAPTER 21 SECTION 23                                  NUISANCES**

To see if the town will vote to delete Chapter 21 Nuisances, Section 23 from the town By-laws.

To do or act thereon.

SPONSORED BY: By-Law Committee  
 APPROPRIATION: None  
 FINCOM RECOMMENDATION: Recommends

Comments: (Finance Committee): This article would delete the existing section in the Town By-laws that would be replaced by the adoption of the proposed Minimum Property Standards and Vacant/Abandoned Properties by-laws proposed in Articles 13 and 14.

Comments: (Sponsor Comments) This section of the By-Laws has been replaced with the adoption of Chapter 41 Minimum Property Standards of Commercial/Industrial Properties and Chapter 42 Vacant/Abandoned Properties

# **ARTICLE: 17 WATER ENTERPRISE FUND BUDGET FISCAL YEAR 2020**

To see if the town will vote to recommend that the following sums be appropriated to operate the Water Enterprise Fund, in accordance with provisions of M.G.L. c. 44 §53F ½ such sums of money as may be necessary, together with revenue from Water Enterprise Fund operations, to defray the expenses for FY2020 (July 1, 2019 – June 30, 2020).

<b>TOTAL REVENUES</b>	<b>\$1,932,914.00</b>
-----------------------	-----------------------

## **EXPENSES - DIRECT**

Water - Salaries	\$ 250,814.00
Water – Expense	\$ 748,345.00
Water - Capital	\$ 125,000.00
Water – Long Term Debt Principal	\$ 433,415.00
Water – Long Term Debt Interest	\$ 68,290.00
<b>TOTAL EXPENSES - DIRECT</b>	<b>\$1,625,864.00</b>

## **EXPENSES - INDIRECT**

Insurance - Health/Life/ Unemployment	\$ 96,548.00
Retirement	\$ 10,446.00
Shared Employee Costs	\$ 200,056.00
<b>TOTAL EXPENSES - INDIRECT</b>	<b>\$ 307,050.00</b>
<b>TOTAL FY2020 BUDGET</b>	<b>\$ 1,932,914.00</b>

To do or act thereon.

SPONSORED BY: Board of Selectmen  
 APPROPRIATION: \$1,625,864.00  
 FINCOM RECOMMENDATION: Recommends

Comments: (Finance Committee): This proposed enterprise fund budget makes modest adjustments from last year's budget while sustaining a reasonable budget for capital improvements to the Town's water distribution system.

Comments: (Sponsor Comments): The Fiscal Year 2020 Water Enterprise Budget is a 9.68% decrease from Fiscal Year 2019. The decrease in the Fiscal Year 2020 Water Enterprise Fund budget is a result of lower than projected revenue correlated with a decrease in water consumption in Fiscal Year 2019 as a result of mandatory emergency water ban, implemented in spring of 2018.

## **ARTICLE: 18 SEWER ENTERPRISE FUND BUDGET FISCAL YEAR 2020**

To see if the town will vote to recommend that the following sums be appropriated to operate the Sewer Enterprise Fund, in accordance with the provisions of M.G.L. c. 44 § 53F ½. Such sums of money as may be necessary, together with revenue from the Sewer Enterprise Fund operations, to defray the expenses for Fiscal Year 2020 (July 1, 2019 – June 30, 2020).

<b>TOTAL REVENUES</b>	<b>\$3,078,976.00</b>
-----------------------	-----------------------

### **EXPENSES - DIRECT**

Sewer - Salaries	\$ 199,658.00
Sewer – Expense	\$ 306,325.00
Sewer - Capital	\$ 50,000.00
Sewer - Long Term Debt Principal	\$ 650,737.00
Sewer - Long Term Debt Interest	\$ 204,856.00
Sewer – Waste Water Treatment Plant Expense	\$1,140,182.00
<b>TOTAL EXPENSES - DIRECT</b>	<b>\$2,551,758.00</b>

### **EXPENSES - INDIRECT**

Insurance - Health/Life/Unemployment	\$ 185,427.00
Retirement	\$ 15,668.00
Shared Employee Costs	\$ 326,123.00
<b>TOTAL EXPENSES - INDIRECT</b>	<b>\$ 527,218.00</b>

<b>TOTAL FY2020 BUDGET</b>	<b>\$3,078,976.00</b>
----------------------------	-----------------------

To do or act thereon.

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	\$2,551,758.00
FINCOM RECOMMENDATION:	Recommends

Comments: (Finance Committee): This proposed enterprise fund budget makes modest adjustments from last year's budget while sustaining a reasonable budget for capital improvements to the Town's sewer system.

Comments: (Sponsor Comments): The Fiscal Year 2020 Sewer Enterprise Budget is a 7.23% decrease from Fiscal Year 2019. The decrease in the Fiscal Year 2020 Sewer Enterprise Fund Budget is a result of lower than projected revenue collected in Fiscal Year 2019. The lower

revenue correlated with a decrease in water consumption in Fiscal Year 2019 as a result of mandatory emergency water ban, implemented in spring of 2018.

## **ARTICLE: 19 SHARING OF ADMINISTRATIVE FUNCTIONS**

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 71, § 37M and authorize consolidation of certain administrative functions, including but not limited to financial, personnel, and maintenance functions, of the school committee with those of the town, provided that such consolidation only occur upon a majority vote of the School Committee and a majority vote of the Board of Selectmen, or take any action relative thereto.

To do or act thereon.

SPONSORED BY: Board of Selectmen/School Committee  
 APPROPRIATION: None  
 FINCOM RECOMMENDATION: At Town Meeting

Comments: (Finance Committee): At Town Meeting.

Comments: (Sponsor Comments): The administrations of the town and schools are developing a Memorandum of Understanding (MOU) to clarify the role of facilities maintenance staff who manage the upkeep, maintenance and repairs of all municipal and school buildings and grounds. Town meeting's acceptance of the specified law's provisions is required for such a MOU. Town staff's facility maintenance personnel have historically supported the school administration and the policies and direction of the School Committee. Per the Town Charter, the School Committee shall maintain general charge of the public schools of the town, and expenses related to the schools require School Committee authorization.

## **ARTICLE: 20 AMEND BY-LAW, CHAPTER 1, SECTION 17D TOWN MEETING, SECRET BALLOT**

To see if the town will vote to amend the Town By-Law in Chapter 1 – Town Meeting, Section 17D by replacing the text, “Authorization for expenditures of \$10,000.00 or more.” With the text, “Authorization for expenditures greater than 0.1 percent of the current Town General Fund Budget.”

To do or act thereon.

SPONSORED BY: By-Law Committee  
 APPROPRIATION: None  
 FINCOM RECOMMENDATION: Recommends

Comments: (Finance Committee): This article would reduce the requirement for time-consuming secret ballots for many warrant articles for appropriations involving lower dollar amounts while preserving a

reasonable threshold for requiring a secret ballot for appropriations involving higher dollar amounts. (See also sponsor's comments in the Warrant).

Comments: (Sponsor Comments): The threshold for requiring a secret ballot has been at \$10,000 for a few decades. While this may have seemed like a very high threshold, inflation has reduced it to the point that very few items still fall below the threshold, requiring more and more items to be voted on by secret ballot. In an effort to speed up Town Meeting, we would like to raise it and by linking it to the General Fund Budget will allow it to keep pace with inflation. The current General Fund Budget is \$42,231,539 so the threshold would initially be \$42,231.

## **ARTICLE: 21 APPROPRIATE OVERLAY SURPLUS**

To see if the town will vote to appropriate **\$100,000.00** from Overlay Surplus funds to reduce the Fiscal Year 2019 Fire Department salary shortfall. The fire department has realized a deficit in the budget this fiscal year because of on-duty injuries, coverage needed for firefighters attending the recruit academy (beyond what was budgeted), and coverage for open shifts created by unforeseen vacancies, and an agreement to the collective bargaining agreement with firefighters, and the contract with the fire chief.

To do or act thereon.

SPONSORED BY: Board of Selectmen  
 APPROPRIATION: \$100,000.00 from Overlay Surplus  
 FINCOM RECOMMENDATION: Recommends

Comments: (Finance Committee): This article would allow the Town to reduce this year's Fire Department salary shortfall using Overlay Surplus funds. (See also sponsor's comments in the Warrant).

Comments: (Sponsor Comments): The Overlay Surplus is controlled by the Board of Assessors. Its purpose is to cover the appropriated property tax levy when individual tax assessments are lowered for a variety of reasons. The Board of Assessors annually votes to retain or release the Overlay depending on their predicted future needs. Released money may be re-appropriated in the same fiscal year at a Town Meeting or will be returned to Free Cash after June 30, 2019. This year, they have released \$100,000.00 and the Town wishes to re-appropriate \$100,000.00 of it to reduce the FY2019 Fire Department salary shortfall.

## **ARTICLE: 22 AMEND BY-LAW, CHAPTER 1, SECTION 8, TOWN MEETING RECONSIDERATION**

To see if the town will vote to Amend the Town By-Law in Chapter 1 – Town Meeting, Section 8 after the following text, "A vote shall be reconsidered only upon a motion by a voter who was present at the vote on the article in question" by inserting the following text, "only with the addition of new information which shall be determined by the Town Moderator"

To do or act thereon.

SPONSORED BY: By-Law Committee

APPROPRIATION: None  
 FINCOM RECOMMENDATION: Recommends

Comments: (Finance Committee): This article would lay out reasonable requirements for motions to reconsider a Town Meeting vote consistent with the intended purpose of such motions. (See also sponsor's comments in the Warrant).

Comments: (Sponsor Comments): There is a realization that some voters only show up at town meeting to vote on articles that are important to them. In order to prevent the vote to be over turned through reconsideration after many supporters of the issue have left, there is a trend to immediately call for a reconsideration to "lock-in" the vote. This delays the progress of Town Meeting. Requiring new information for reconsideration will eliminate the need of this procedure.

**ARTICLE: 23 AMEND BY-LAW, CHAPTER 34, SECTION 5A, STORM WATER MANAGEMENT**

To see if the town will vote to amend the Town By-Laws as follows:

In Chapter 34, Stormwater Management, Section 5A replace the text, "As an alternative to criminal prosecution or civil action, the Stormwater Authority may elect to utilize the non-criminal disposition procedure set forth in M.G.L. Ch. 40 §21D and Ch. 15 Non-Criminal Disposition of Bylaw Violations of the Town of Maynard General Bylaws." with the text, "As an alternative to criminal prosecution or civil action, the Stormwater Authority may elect to utilize the non-criminal disposition procedure set forth in M.G.L. Ch. 40 §21D and with the following penalty:

Penalty First Offense -Written warning  
 Each subsequent offense -\$100  
 Each day that such violation continues shall constitute a separate offense.  
 Enforcing Person: Conservation Agent  
 Conservation Commissioner  
 Department of Public Works Director  
 Police Officer"

And in Chapter 15, 15 Non-Criminal Disposition of Bylaw Violations, Section 5 deletes the following text:

"Chapter 34 Stormwater Management Bylaw  
 Penalty First Offense -Written warning  
 Each subsequent offense -\$100  
 Each day that such violation continues shall constitute a separate offense.  
 Enforcing Person: Conservation Agent  
 Conservation Commissioner  
 Department of Public Works Director  
 Police Officer"

To do or act thereon.

SPONSORED BY: By-Law Committee  
 APPROPRIATION: None  
 FINCOM RECOMMENDATION: Recommends

Comments: (Finance Committee): This article would support the By-Law Committee's work to make the Town By-Laws clearer. (See also sponsor's comments in the Warrant).

Comments: (Sponsor Comments): This article is continuing the process to remove the penalty listing in Chapter 15 and place it in the By-Law that governs it.

## **ARTICLE: 24 AMEND BY-LAW, CHAPTER 38, UTILITY POLES**

To see if the town will vote to amend the Town By-Law by deleting Chapter 38 – Utility Poles.

To do or act thereon.

SPONSORED BY: By-Law Committee  
 APPROPRIATION: None  
 FINCOM RECOMMENDATION: At Town Meeting

Comments: (Finance Committee): At Town Meeting. ((See also sponsor's comments in the Warrant)).

Comments: (Sponsor Comments): We submitted the recent reorganization of the Utility By-Law to the Attorney General's Office for approval and while they eventually approved the reorganization they also provided the following comment:

"the Town should consider whether the Utility Pole by-law is valid in light of the Supreme Judicial Court's decision in Boston Edison Co. v. Town of Bedford, 444 Mass. 775 (2005), which invalidated a by-law regulating double poles as inconsistent with the provisions of M.G.L. c. 164, and as frustrating the fundamental state policy of ensuring uniform and efficient utility services to the public."

## **ARTICLE: 25 AMEND TOWN'S ZONING BY-LAW SECTION 3.1.2**

To see if the Town will vote to amend the Town's Zoning By-laws as follows:

- 1. AMEND SECTION 3.1.2 TABLE A – USE REGULATIONS, BY CHANGING "BA"** (Zoning Board of Appeals Special Permit) to "PB" (Planning Board Special Permit) in the "B" Zoning District, and adding "PB" to the "CB" Zoning District, for the "hotels, motels, and extended stay facility" use so that it reads (the proposed additional text is underlined; deleted text is stricken):

Principal Uses	S-1	S-2	GR	B	CB	HCI	I	GA	OS
Hotels, motels, extended stay facility	N	N	N	<del>BA</del> <u>PB</u>	<del>N</del> <u>PB</u>	Y	N	N	N



To do or act thereon.

SPONSORED BY: Planning Board  
 APPROPRIATION: None  
 FINCOM RECOMMENDATIONS: Recommends

Comments: (Finance Committee): This article would amend the Town’s Zoning By-Laws to allow a hotel, motel, or extended stay facility in both the Business and Central Business Districts by Special Permit, with the Town’s Planning Board (PB) as the Special Permit Granting Authority (SPGA). Such development projects could bring in much needed revenue to the Town. Because this new use would be allowed by Special Permit only, it would enable the PB to review each proposed development project individually to ensure that the project is designed and adapted to maximize the “beneficial impacts” and minimize the “adverse effects” of the project to the Town and surrounding neighborhood, in accordance with Section 10.4, Special Permits, of the Zoning By-Laws. (See also sponsor’s comments in the Warrant.)

Comments: (Sponsor Comments): And appropriate-scale hotel would be both an economic development asset and potentially increase the desirability of Maynard’s Cultural District as a destination. By requiring a Special Permit, the Planning Board can individually review proposed plans and if needed, adjust the plans to the site after a complete review.

#### **ARTICLE: 26 AMEND TOWN’S ZONING BY-LAW SECTION 7.9**

To see if the Town will vote to amend the Town of Maynard’s Zoning By-laws as follows:

**1. AMEND SECTION 7.9, INCLUSIONARY HOUSING;** by changing the section number and all subsections from 7.9 to 7.10.

To do or act thereon.

SPONSORED BY: Planning Board  
 APPROPRIATION: None  
 FINCOM RECOMMENDATIONS: Recommends

Comments: (Finance Committee): This article would correct an error in section numbering in the Town’s Zoning By-Laws. (See also sponsor’s comments in the Warrant.)

Comments: (Sponsor Comments): This section was incorrectly numbered in the previously approved warrant article as section 7.9, when the already approved Marijuana Retail zoning by-laws were already numbered as section 7.9. Therefore, the Inclusionary Housing zoning by-laws should be numbered as section 7.10. This amendment will correct the numbering discrepancy.

#### **ARTICLE: 27 AMEND TOWN’S ZONING BY-LAW SECTION 9.4.2**

To see if the Town will vote to amend the Town of Maynard’s Zoning By-laws as follows:

**1. AMEND SECTION 9.4.2, DOWNTOWN MIXED-USE OVERLAY DISTRICT (DOD); APPLICABILITY**, by inserting in a section number, so that it reads (the proposed change is underlined):

**9.4.2.1 Special Permit Granting Authority (SPGA).** For the purposes of this Section, unless otherwise noted, the Planning Board shall be the Special Permit Granting Authority.

To do or act thereon.

SPONSORED BY: Planning Board  
 APPROPRIATION: None  
 FINCOM RECOMMENDATIONS: Recommends

Comments: (Finance Committee): This article would correct an error in section numbering in the Town's Zoning By-Laws. (See also sponsor's comments in the Warrant.)

Comments: (Sponsor Comments): During previous edits of the Zoning By-laws, the section number for Special Permit Granting Authority under the Downtown Mixed-Use Overlay District was deleted by mistake. Adding the new section number revises the scrivener's error.

## **ARTICLE: 28 AMEND TOWN'S ZONING BY-LAW SECTION 9.4.3**

To see if the Town will vote to amend the Town of Maynard's Zoning By-laws as follows:

**1. AMEND SECTION 9.4.3, DOWNTOWN MIXED USE OVERLAY DISTRICT (DOD); PERMITTED AND PROHIBITED USES; TABLE H: TABLE OF DOD USES**, by adding a footnote, so that it reads: (the proposed change is underlined)

Use	Permitted (Y), Not Permitted (N), Special Permit (SP)
Mixed Use with 6 or fewer dwelling units*	Y
Mixed Use with more than 6 dwelling units*	SP
Multi-Family Dwelling (for lots that do not fall under the restricted area below)	SP
Multi-Family Dwelling (for lots with frontage on Main or Nason Streets bounded by Florida Road and Summer Street or for lots with frontage on Summer Street between Nason and Main Streets).	N

\* For mixed-use projects in the DOD, a majority of space on the ground floor (more than 50%), excluding common and mechanical areas, shall be for retail, restaurant, office and/or medical office use, unless other non-residential uses are authorized by the Planning Board.

To do or act thereon.

SPONSORED BY: Planning Board  
 APPROPRIATION: None  
 FINCOM RECOMMENDATIONS: Recommends

Comments: (Finance Committee): This article would clarify the Town's Zoning By-Laws by requiring explicitly that more than 50% of the ground floor in proposed mixed-use development projects be dedicated to specified non-residential uses, as was originally intended for the Downtown Overlay District (DOD). (See also sponsor's comments in the Warrant.)

Comments: (Sponsor Comments): Mixed-use projects would require that a majority of the space, excluding common areas, be for commercial uses. This would allow for a more balanced and vibrant mix of compatible uses in the Downtown Overlay District.

## **ARTICLE: 29 AMEND TOWN'S ZONING BY-LAW SECTION 9.4.4**

To see if the Town will vote to amend the Town of Maynard's Zoning By-laws as follows:

### **1. AMEND SECTION 9.4.4, DIMENSIONAL REQUIREMENTS, TABLE I: DOWNTOWN OVERLAY DISTRICT (DOD) DIMENSIONAL REQUIREMENTS, BY CHANGING THE SETBACK DESCRIPTIONS, so that it reads (~~striktthrough~~ text refers to what is being removed, and underline text refers to what is being added):**

Maximum / Minimum Yard Requirements for Multi-Family and Mixed Use

Front (feet) – Maximum / <del>Minimum</del>	<del>10</del> * <u>10</u> <sup>1</sup>
Side (feet) – <del>Maximum</del> / Minimum	<del>Unlimited</del> * <u>0</u> <sup>2</sup>
Rear (feet) – <del>Maximum</del> / Minimum	<del>Unlimited</del> * <u>0</u> <sup>2</sup>

<sup>1</sup> At least 90% of the horizontal dimension of the side of a building oriented towards the front lot line shall be within the maximum setback.

\* ~~Increase by~~<sup>2</sup> 15 feet when abutting a residential lot not within the Downtown Overlay District

To do or act thereon.

SPONSORED BY: Planning Board  
 APPROPRIATION: None  
 FINCOM RECOMMENDATIONS: Recommends

Comments: (Finance Committee): This article would restore the Town's Zoning By-Laws to their original intent by removing unclear wording and adding clarifying language to the dimension requirements of the Downtown Overlay District (DOD). (See also sponsor's comments in the Warrant.)

Comments: (Sponsor Comments): The amendment clarifies the intent of wording already contained in "Table 'I'". There is no prescribed minimum front yard (setback) for development within the D.O.D. However, there is a 10 foot maximum front yard (setback). A key component of D.O.D. dimensional requirements is the "street connectivity".

**ARTICLE: 30 AMEND TOWN'S ZONING BY-LAW SECTION 9.4.5**

To see if the Town will vote to amend the Town of Maynard's Zoning By-laws as follows:

**1. AMEND SECTION 9.4.5, MIXED USE AND MULTIFAMILY REDUCED AREA REQUIREMENT; DEVELOPMENT AGREEMENT**, by adding to #2, so that it reads (the proposed change is underlined):

Agreement from the Developer to make a donation to the Maynard Community Preservation Fund, or other equivalent town fund or account dedicated to the acquisition and preservation of open space or recreation land, in an amount as prescribed in the Planning Board Regulations.

To do or act thereon.

SPONSORED BY:	Planning Board
APPROPRIATION:	None
FINCOM RECOMMENDATIONS:	Recommends

Comments: (Finance Committee): This article would align the Town's Zoning By-Laws to a recent update to the Town's Planning Board Rules and Regulations. (See also sponsor's comments in the Warrant.)

Comments: (Sponsor Comments): The Planning Board Rules and Regulations were recently updated to establish a formula to calculate the amount of contribution required by Zoning By-law Section 9.4.5(2) "Donation for Acquisition and Preservation of Open Space or Recreation Land". This Zoning By-law amendment adds a reference to the Planning Board Rules and Regulations.

**ARTICLE 31 AMEND TOWN'S ZONING BY-LAW SECTION 9.4.5.1**

To see if the Town will vote to amend the Town of Maynard's Zoning By-laws as follows:

**1. AMEND SECTION 9.4.5.1, MIXED USE AND MULTIFAMILY REDUCED AREA REQUIREMENT; DEVELOPMENT AGREEMENT**, so that it reads (the proposed change is underlined; the proposed deleted text is ~~stricken~~):

1. Agreement from the developer to include in the development a number of "affordable" units equal to or greater than 15% of the total number of units in the development, rounded up to the nearest whole unit or an agreement from the developer to make a donation to the "Maynard Affordable Housing Trust" (or any equivalent town fund or account which is dedicated to the development of "affordable" housing stock) equal in value to the whole number of affordable units, multiplied by the "affordable unit equivalent" (in dollars). This "affordable unit equivalent" shall be determined by the Affordable Housing ~~Committee~~ Trust, or in the absence of such a ~~committee~~ Trust, by the Board of Selectmen. This does not preclude the applicability of the Town's Inclusionary Zoning By-law. If the development is subject to the Inclusionary Zoning By-law, the most restrictive of the requirements shall apply.

To do or act thereon.

SPONSORED BY: Planning Board  
 APPROPRIATION: None  
 FINCOM RECOMMENDATIONS: Recommends

Comments: (Finance Committee): This article would correct and clarify language in the Town's Zoning By-Laws pertaining to affordable housing units in the Downtown Overlay District (DOD). (See also sponsor's comments in the Warrant.)

Comments: (Sponsor Comments): The purpose of the first proposed change is to correct a scrivener's error, so that the section correctly refers to the "Affordable Housing Trust", not the "Affordable Housing Committee". The second proposed change creates a reference to the Inclusionary Zoning By-law, which was adopted at the May 21<sup>st</sup>, 2018 Annual Town Meeting, and clarifies subjectivity to the By-law.

## **ARTICLE: 32 AMEND TOWN'S ZONING BY-LAW SECTION 11.0**

To see if the Town will vote to amend the Town's Zoning By-laws as follows:

### **1. AMEND SECTION 11.0, "DEFINITIONS" BY EDITING THE DEFINITION FOR "DWELLING" SO THAT IT READS (the proposed additional text is underlined):**

Dwelling: A building for human habitation which meets the minimum requirements of the Massachusetts State Building Code, 780 CMR, for a dwelling structure, with permanent attachment to the ground, which shall not include a manufactured home, trailer or other mobile living unit or hotel, dormitory, hospital or rooming house.

### **2. DELETE SECTION 7.4 "TRAILERS" IN ITS ENTIRETY (the proposed deleted text is ~~stricken~~):**

#### ~~7.4—TRAILERS~~

~~7.4.1 General. No trailer shall be placed upon any land, or used for dwelling or business purposes, within the Town except as hereinafter provided.~~

~~7.4.2 Special Permit for Storage. The Board of Appeals may issue a Special Permit to store not more than one trailer per lot in a garage, other accessory building or in the rear yard of a lot occupied by the owner of the trailer.~~

~~7.4.3 Special Permit for Temporary Occupancy. The Board of Appeals may authorize the use of a trailer for dwelling purposes or as a temporary office only if such uses are incidental to construction of a building on the premises or development of the premises. Such authorization may be granted for a period not exceeding twelve (12) consecutive months, subject to approval of safeguards to insure proper sanitation. In no case shall such authorization be renewed for more than six (6) consecutive months.~~

~~7.4.4 Special Permit for Guest Occupancy. The Board of Appeals may issue not more than one permit per calendar year to an owner of a lot for the occupancy of such lot for dwelling purposes by a guest owned trailer. Such permit may be issued for a period not~~

~~to exceed two weeks.~~

**3. AMEND SECTION 11.0, DEFINITIONS, BY DELETING THE DEFINITION OF “TRAILER”** (the proposed deleted text is ~~stricken~~):

~~Trailer: Any vehicle which is drawn by or used in connection with a motor vehicle and which is so designed and constructed or added to by means of such accessories as to permit the use and occupancy thereof for human use or habitation, whether resting on wheels, jacks or other foundations. It shall include the vehicle commonly known as a mobile home, containing completed electrical, plumbing and sanitary facilities and be designed to be installed on a temporary or permanent foundation for permanent living quarters.~~

**4. AMEND SECTION 3.1.2 TABLE A – USE REGULATIONS, BY ADDING “MANUFACTURED HOME”.** This will amend the Use Regulations Table. This would indicate a manufactured home is not permitted in any Zoning Districts.

**5. AMEND SECTION 11.0, DEFINITIONS BY ADDING THE DEFINITION FOR “MANUFACTURED HOME”** (the proposed text is underlined):

Manufactured Home: Any vehicle or object designed for movement on wheels and having no motive power of its own, but which is drawn by or used in connection with a motor vehicle, and which is so designed and constructed, or reconstructed or added to by means of such accessories, as to permit the use and occupancy thereof for human habitation, whether resting on wheels, jacks or other foundation, and shall include the type of construction commonly known as "mobile home" or "trailer home". These are typically the Department of Housing Urban Development (HUD) approved dwelling units which generally do not meet the minimum requirements of the Massachusetts State Building Code for a one or two family dwelling structure.

**6. AMEND SECTION 7.4, BY ADDING “MANUFACTURED HOMES”** (proposed text is underlined):

7.4 MANUFACTURED HOMES

7.4.1 General.

No manufactured home shall be placed upon any land or used for dwelling or business purposes, within the Town except as provided for in 7.4.2.

7.4.2 Exception.

Pursuant to MGL 40A, Section 3, the owner and occupier of a residence which has been destroyed by fire or other natural holocaust shall be permitted to place a manufactured home on the site of such residence and reside in such home for a period not to exceed twelve months while the residence is being rebuilt. Any such manufactured home shall be subject to the provisions of the state sanitary code.

To do or act thereon.

SPONSORED BY:  
APPROPRIATION:

Planning Board  
None

## FINCOM RECOMMENDATIONS: Recommends

Comments: (Finance Committee): This article would restore the Town's Zoning By-Laws by removing unclear wording and adding clarifying language pertaining to trailers and manufactured homes. (See also sponsor's comments in the Warrant.)

Comments: (Sponsor Comments):

1. "Trailers": Section 7.4 "Trailers" and the associated definition in Section 11, is being removed to avoid confusion with manufactured homes.
2. Dwelling: The proposed language is consistent with the Massachusetts Building Code.
3. Manufactured Homes: A "Manufactured Home" is currently not defined or listed in the Zoning By-laws Use Table. This use is proposed to be added as Section 7.4, and the associated definition to Section 11. A "Manufactured Home" would be a prohibited use in all zoning districts unless meeting the criteria as detailed within the proposed Section 7.4.2.

**ARTICLE: 33 AMEND TOWN'S ZONING BY-LAW SECTION 11.0  
TO REFLECT SECTION 9.3.14**

To see if the Town will vote to amend the Town's Zoning By-laws as follows:

1. **AMEND SECTION 11.0, DEFINITIONS, BY ADDING THE DEFINITION FOR "RESTAURANT" FROM SECTION 9.3.14 (DEFINITIONS FOR NBOD USES)** to the aforementioned section, so that it reads:

Restaurant: An establishment where the principal business is the sale of food and beverages within the structure, including but not limited to the characteristics of patrons dining at tables or in booths, being waited on by staff and with food and beverages being primarily served in non-disposable containers except for takeout items which are expressly allowed. For the purposes of the Zoning By-laws, a "restaurant" is distinguished from a "fast food restaurant".

2. **AMEND SECTION 11.0, DEFINITIONS, BY CHANGING THE DEFINITION FOR "FAST-FOOD RESTAURANT"** (~~striketrough~~ represents what is being changed, underline represents what is new):

~~Fast-Food Restaurant~~ Restaurant, Fast-Food: An establishment serving fast food. Grocery stores, small markets with deli counters, and traditional bakeries are specifically exempted from this definition.

To do or act thereon.

SPONSORED BY: Planning Board  
 APPROPRIATION: None  
 FINCOM RECOMMENDATIONS: Recommends

Comments: (Finance Committee): This article would add and clarify the definitions of “Restaurant” and “Restaurant, Fast-Food” in the Town’s Zoning By-Laws. (See also sponsor’s comments in the Warrant.)

Comments: (Sponsor Comments): The Town currently does not have a definition in Section 11.0 Definitions for “Restaurant”, but a definition does exist in Section 9.3.14 Definitions for Neighborhood Business Overlay District. The definition would be added to Section 11.0 Definitions next to the definition for “Restaurant, Fast-Food” to further distinguish the two types of restaurants from one another.

#### **ARTICLE: 34 ACCEPT EASEMENT PLAN LOT 152 AND 152-1 MAP 25**

To see if the town will vote to Accept an Easement over, on, below and within that portion of the premises shown as “Easement Area B” on that certain Plan of Land entitled “Easement Plan Maynard Crossings JV, LLC Lot 152 & 152-1, Map 25, Town of Maynard, Middlesex County, Commonwealth of Massachusetts.” prepared by Control Point Associates, Inc., 252 Turnpike Road, Unit 201, Southborough, MA, 01772, dated 10-18-17”, (the “ Easement Plan”) which Easement Plan is on file with the Town Clerk. Said Easement Area B contains 692 square feet according to said Easement Plan, for general municipal purposes under the care, custody and control of the Board of Selectmen, or take any action relative thereto.

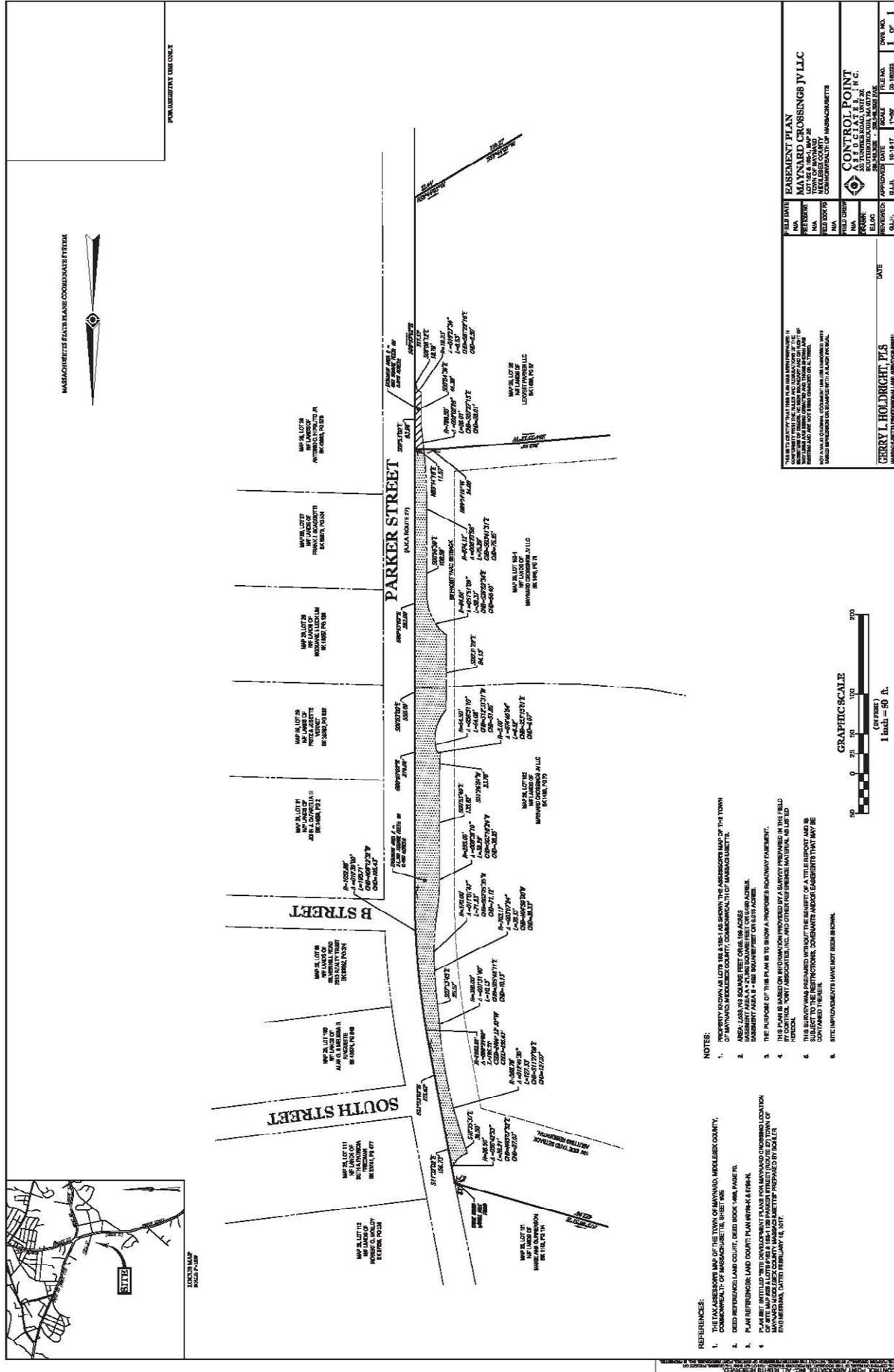
To do or act thereon.

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	
FINCOM RECOMMENDATION:	Recommends

Comments: (Finance Committee): This article would allow the Town to accept an easement for the purpose of improving vehicular and pedestrian safety at the Maynard Crossings/129 Parker St. development project. (See also sponsor’s comments in the Warrant.)

Comments: (Sponsor Comments): – Easement Area “B” is being granted by Lexvest Parker LLC, the owner of 141 Parker Street, as a permanent easement providing the Town access for roadway, sidewalk, and retaining wall maintenance and repair. Easement Area “A” was already approved at the March 26, 2018 Town Meeting, but Easement Area “B” was not included at that time.





- NOTES:**
1. THE TAX ASSESSORS MAP OF THE TOWN OF MAYNARD, MASSACHUSETTS, IS THE BASIS FOR THE BOUNDARY LINES OF THE TOWN OF MAYNARD, MASSACHUSETTS, AND THE BOUNDARY LINES OF THE TOWN OF MAYNARD, MASSACHUSETTS, AND THE BOUNDARY LINES OF THE TOWN OF MAYNARD, MASSACHUSETTS.
  2. AREA LOTS ARE SQUARE FEET OR 1/4 ACRES.
  3. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  4. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  5. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  6. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  7. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  8. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  9. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  10. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.

- REFERENCES:**
1. THE TAX ASSESSORS MAP OF THE TOWN OF MAYNARD, MASSACHUSETTS, IS THE BASIS FOR THE BOUNDARY LINES OF THE TOWN OF MAYNARD, MASSACHUSETTS, AND THE BOUNDARY LINES OF THE TOWN OF MAYNARD, MASSACHUSETTS.
  2. AREA LOTS ARE SQUARE FEET OR 1/4 ACRES.
  3. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  4. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  5. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  6. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  7. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  8. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  9. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.
  10. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED BOUNDARY LINES.

**ARTICLE: 35      HOME RULE PETITION – SPECIAL LEGISLATION CONCERNING  
LIQUOR LICENSE**

To see if the town will vote to direct the Board of Selectmen to petition the General Court to enact special legislation substantially in the form set forth in Appendix “B” hereto authorizing the Town to issue one (1) additional license for the sale of all alcohol package store off premise not to be drunk on premise and provide further that the General Court may make clerical or editorial change of form only to the bill, and further the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition.

To do or act thereon.


SPONSORED BY:                      Board of Selectmen  
APPROPRIATION:                  None  
FINCOM RECOMMENDATION:    Recommends

Comments: (Finance Committee): This article would allow the Town to gain much needed revenue by petitioning for one additional license for the sale of all alcohol off premises consumption. (See also sponsor’s comments in the Warrant.)

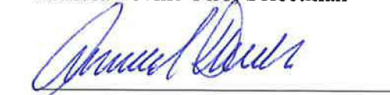
Comments: (Sponsor Comments): The state legislature issues liquor licenses to municipalities, primarily based on a ratio of population. The legislature must be petitioned for additional licenses. Advocates in support of this petition propose an additional license is necessary to balance the three (3) existing licenses for all alcohol package stores not to be drunk on premise. If granted by the legislature, interested parties must apply for the license to the Board of Selectmen per the town’s established rules and regulations.


Given under our hands this **16th** day of April in the year of Two Thousand and Nineteen.

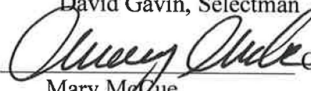
  
Chris DiSilva, Selectman

  
Melissa Levine-Piro, Selectman

  
Justine St. John, Selectman

  
Armand Diarbekirian, Selectman

  
David Gavin, Selectman

A true copy, Attest  Constable of Maynard.  
Mary McCue

**APPENDIX A****TOWN OF MAYNARD - FY2020 GENERAL FUND ESTIMATED REVENUE**

FY2019 Levy Limit	29,049,744
Plus 2.5%	726,244
Plus New Growth Estimate	730,000
Plus Debt Exclusion	2,246,149
<b>TOTAL ESTIMATED REVENUE FROM TAXATION</b>	<b>32,752,137</b>

Education - Chapter 70	5,442,941
Education - Charter School Reimbursement	274,827
General Government	1,749,569
Less: Cherry Sheet Assessments - General Government	(106,053)
Less: Cherry Sheet Assessments - School Choice	(107,525)
Less: Cherry Sheet Assessments - Charter School	(1,120,825)
School Building Assistance Reimbursement	897,660

**TOTAL LOCAL AID**

-  
**7,030,594**

**ESTIMATED LOCAL RECEIPTS****2,644,169**

Bond Premium Reimbursement - Police Station	2,493
Bond Premium Reimbursement - School Boilers	453
Bond Premium Reimbursement - High School	23,065
Bond Premium Reimbursement - High School	15,693
Bond Premium Reimbursement - High School	17,386
<b>TOTAL BOND PREMIUM REIMBURSEMENT</b>	<b>59,090</b>

Water Enterprise Indirect Costs - Transfer to General Fund	307,050
Sewer Enterprise Indirect Costs - Transfer to General Fund	527,218
Public Education & Government Access (PEG)- Comcast	129,698
Public Education & Government Access (PEG) - Verizon	235,700
Ambulance Receipts - Transfer to General Fund	270,000
<b>TOTAL TRANSFERS FROM OTHER FUNDS</b>	<b>1,469,666</b>

**FREE CASH** **50,000**

**TOTAL GENERAL FUND REVENUE**

**44,005,656**

ACCOUNT NAME	<u>FY2019</u>		<u>FY2019</u>		<u>FY2020</u>		<u>Budget</u>	<u>% Change</u>
	<u>BUDGET</u>		<u>ACTUAL</u>		<u>BUDGET</u>		<u>FY2020 vs</u>	<u>FY2020 vs</u>
			<u>31-Dec-18</u>				<u>FY2019</u>	<u>FY2019</u>
114 Total Salaries - Moderator	\$	-	\$	-	\$	-	\$	- 0.00%
114 Total Other Expenses - Moderator	\$	149	\$	74	\$	149	\$	- 0.00%
114 Total Moderator Expenses	\$	149	\$	74	\$	149	\$	- 0.00%
122 Total Salaries - Selectman	\$	68,473	\$	32,919	\$	69,843	\$	1,370 2.00%
122 Total Other Expenses - Selectman	\$	43,700	\$	14,786	\$	38,200	\$	(5,500) -12.59%
122 Total Selectman Expenses	\$	112,173	\$	47,705	\$	108,043	\$	(4,130) -3.68%
129 Total Salaries - Town Administrator	\$	296,462	\$	127,401	\$	299,400	\$	2,938 0.99%
129 Total Other Expenses- Town Administrator	\$	16,200	\$	9,469	\$	15,950	\$	(250) -1.54%
129 Total Expenses - Town Administrator	\$	312,662	\$	136,870	\$	315,350	\$	2,688 0.86%
131 Total Salaries - Finance Committee	\$	-	\$	-	\$	-	\$	- 0.00%
131 Total Other Expenses- Finance Committee	\$	500	\$	210	\$	500	\$	- 0.00%
131 Total Expenses - Finance Committee	\$	500	\$	210	\$	500	\$	- 0.00%
135 Total Salaries - Accountant	\$	157,463	\$	77,611	\$	165,688	\$	8,225 5.22%
135 Total Other Expenses- Accountant	\$	4,650	\$	739	\$	4,650	\$	- 0.00%
135 Total Expenses - Accountant	\$	162,113	\$	78,350	\$	170,338	\$	8,225 5.07%
141 Total Salaries - Assessor	\$	160,237	\$	79,382	\$	161,911	\$	1,674 1.04%
141 Total Other Expenses-Assessor	\$	30,170	\$	27,602	\$	29,970	\$	(200) -0.66%
141 Total Expenses - Assessor	\$	190,407	\$	106,984	\$	191,881	\$	1,474 0.77%
145 Total Salaries - Treasurer	\$	207,881	\$	98,740	\$	213,024	\$	5,143 2.47%
145 Total Other Expenses-Treasurer	\$	37,280	\$	14,780	\$	37,610	\$	330 0.89%
145 Total Expenses - Treasurer	\$	245,161	\$	113,520	\$	250,634	\$	5,473 2.23%
151 Total Salaries - Legal	\$	-	\$	-	\$	-	\$	- 0.00%
151 Total Other Expenses-Legal	\$	99,000	\$	30,354	\$	96,000	\$	(3,000) -3.03%
151 Total Expenses - Legal	\$	99,000	\$	30,354	\$	96,000	\$	(3,000) -3.03%
155 Total Salaries - Data Processing	\$	-	\$	-	\$	-	\$	- 0.00%
155 Total Other - Data Processing	\$	294,236	\$	186,528	\$	323,512	\$	29,276 9.95%
155 Total Expenses - Data Processing	\$	294,236	\$	186,528	\$	323,512	\$	29,276 9.95%
156 Total Salaries - PEG Access	\$	151,427	\$	64,740	\$	229,692	\$	78,265 51.68%
156 Total Other - PEG Access	\$	134,394	\$	48,006	\$	135,706	\$	1,312 0.98%
156 Total Expenses - PEG Access	\$	285,821	\$	112,746	\$	365,398	\$	79,577 27.84%
158 Total Salaries - Tax Title	\$	-	\$	-	\$	-	\$	- 0.00%
158 Total Other - Tax Title	\$	5,700	\$	1,200	\$	5,700	\$	- 0.00%
158 Total Expenses - Tax Title	\$	5,700	\$	1,200	\$	5,700	\$	- 0.00%

ACCOUNT NAME		<u>FY2019</u>	<u>FY2019</u>	<u>FY2020</u>	<u>Budget</u>	<u>% Change</u>
		<u>BUDGET</u>	<u>ACTUAL</u>	<u>BUDGET</u>	<u>FY2020 vs</u>	<u>FY2020 vs</u>
		<u>31-Dec-18</u>			<u>FY2019</u>	<u>FY2019</u>
161	Total Salaries - Town Clerk	\$ 108,422	\$ 52,852	\$ 109,915	\$ 1,493	1.38%
161	Total Other Expenses-Town Clerk	\$ 2,480	\$ 1,846	\$ 4,450	\$ 1,970	79.44%
161	Total Expenses - Town Clerk	\$ 110,902	\$ 54,698	\$ 114,365	\$ 3,463	3.12%
162	Total Salaries - Elect & Regist..	\$ 935	\$ -	\$ 935	\$ -	0.00%
162	Total Other Elect & Regist..	\$ 2,850	\$ -	\$ 2,850	\$ -	0.00%
162	Total Expenses - Elect & Regist..	\$ 3,785	\$ -	\$ 3,785	\$ -	0.00%
163	Total Salaries - Election	\$ 16,000	\$ 13,097	\$ -	\$ (16,000)	-100.00%
163	Total Other - Election	\$ 14,000	\$ 3,404	\$ 29,000	\$ 15,000	107.14%
163	Total Expenses - Election	\$ 30,000	\$ 16,501	\$ 29,000	\$ (1,000)	-3.33%
192	Total Salaries - Facilities	\$ 135,155	\$ 65,192	\$ 138,702	\$ 3,547	2.62%
192	Total Other - Facilities	\$ 249,600	\$ 89,095	\$ 246,600	\$ (3,000)	-1.20%
192	Total Expenses - Facilities	\$ 384,755	\$ 154,287	\$ 385,302	\$ 547	0.14%
195	Total Salaries - Town Reports Printing	\$ -	\$ -	\$ -	\$ -	0.00%
195	Total Other - Town Reports Printing	\$ 1,500	\$ -	\$ 1,500	\$ -	0.00%
195	Total Expenses - Town Reports Printing	\$ 1,500	\$ -	\$ 1,500	\$ -	0.00%
500	Total Salaries - Municipal Services	\$ 281,258	\$ 129,133	\$ 280,971	\$ (287)	-0.10%
500	Total Other - Municipal Services	\$ 36,400	\$ 32,284	\$ 36,687	\$ 287	0.79%
500	Total Expenses - Municipal Services	\$ 317,658	\$ 161,417	\$ 317,658	\$ -	0.00%
541	Total Salaries - Council on Aging	\$ 117,022	\$ 56,420	\$ 119,133	\$ 2,111	1.80%
541	Total Other - Council on Aging	\$ 36,250	\$ 9,166	\$ 39,250	\$ 3,000	8.28%
541	Total Expenses - Council on Aging	\$ 153,272	\$ 65,586	\$ 158,383	\$ 5,111	3.33%
543	Total Salaries - Veterans	\$ 9,500	\$ 4,750	\$ 9,690	\$ 190	2.00%
543	Total Other - Veterans	\$ 51,500	\$ 21,276	\$ 51,500	\$ -	0.00%
543	Total Expenses - Veterans	\$ 61,000	\$ 26,026	\$ 61,190	\$ 190	0.31%
930	Total Salaries - Capital Projects	\$ -	\$ -	\$ -	\$ -	0.00%
930	Total Other - Capital Projects	\$ 85,255	\$ 30,441	\$ -	\$ (85,255)	-100.00%
930	Total Expenses - Capital Projects	\$ 85,255	\$ 30,441	\$ -	\$ (85,255)	-100.00%
945	Total Salaries - Liability Insurance Premiums	\$ -	\$ -	\$ -	\$ -	0.00%
945	Total Other - Liability Insurance Premiums	\$ 326,232	\$ 344,722	\$ 363,755	\$ 37,523	11.50%
945	Total Expenses - Liability Insurance Premiums	\$ 326,232	\$ 344,722	\$ 363,755	\$ 37,523	11.50%

ACCOUNT NAME	FY2019		FY2019		FY2020		Budget	% Change
	BUDGET		ACTUAL		BUDGET		FY2020 vs	FY2020 vs
			31-Dec-18				FY2019	FY2019
955 Total Salaries - Town Audit	\$	-	\$	-	\$	-	\$	- 0.00%
955 Total Other - Town Audit	\$	45,000	\$	33,000	\$	40,000	\$	(5,000) -11.11%
955 Total Expenses - Town Audit	\$	45,000	\$	33,000	\$	40,000	\$	(5,000) -11.11%
Total Salaries - General Government	\$	1,710,235	\$	802,237	\$	1,798,904	\$	88,669 5.18%
Total Other - General Government	\$	1,517,046	\$	898,982	\$	1,503,539	\$	(13,507) -0.89%
Total Expenses - General Government	\$	3,227,281	\$	1,701,219	\$	3,302,443	\$	75,162 2.33%
210 Total Salaries - Police	\$	2,254,535	\$	1,051,534	\$	2,315,057	\$	60,522 2.68%
210 Total Other - Police	\$	283,983	\$	168,770	\$	257,483	\$	(26,500) -9.33%
210 Total Expenses - Police	\$	2,538,518	\$	1,220,304	\$	2,572,540	\$	34,022 1.34%
220 Total Salaries - Fire	\$	1,977,555	\$	1,089,810	\$	2,068,983	\$	91,428 4.62%
220 Total Other - Fire	\$	138,800	\$	70,896	\$	134,200	\$	(4,600) -3.31%
220 Total Expenses - Fire	\$	2,116,355	\$	1,160,706	\$	2,203,183	\$	86,828 4.10%
215 Total Salaries - Dispatch	\$	260,688	\$	140,132	\$	268,370	\$	7,682 2.95%
215 Total Other - Dispatch	\$	3,450	\$	1,115	\$	3,450	\$	- 0.00%
215 Total Expenses - Dispatch	\$	264,138	\$	141,247	\$	271,820	\$	7,682 2.91%
Total Salaries - Public Safety	\$	4,492,778	\$	2,281,476	\$	4,652,410	\$	159,632 3.55%
Total Other - Public Safety	\$	426,233	\$	240,781	\$	395,133	\$	(31,100) -7.30%
Total Expenses - Public Safety	\$	4,919,011	\$	2,522,257	\$	5,047,543	\$	128,532 2.61%
300 Total Salaries - Education	\$	14,364,420	\$	5,687,305	\$	14,995,433	\$	631,013 4.39%
300 Total Other - Education	\$	4,185,731	\$	2,350,742	\$	4,581,520	\$	395,789 9.46%
300 Total Expenses - Education	\$	18,550,151	\$	8,038,047	\$	19,576,953	\$	1,026,802 5.54%
310 Total Salaries - Assabet Valley Assessment	\$	-	\$	-	\$	-	\$	- 0.00%
310 Total Other - Assabet Valley Assessment	\$	1,025,434	\$	630,787	\$	1,122,297	\$	96,863 9.45%
310 Total Expenses - Assabet Valley Assessment	\$	1,025,434	\$	630,787	\$	1,122,297	\$	96,863 9.45%
Total Salaries - Education	\$	14,364,420	\$	5,687,305	\$	14,995,433	\$	631,013 4.39%
Total Other - Education	\$	5,211,165	\$	2,981,529	\$	5,703,817	\$	492,652 9.45%
Total Expenses - Education	\$	19,575,585	\$	8,668,834	\$	20,699,250	\$	1,123,665 5.74%
421 Total Salaries - DPW Administration	\$	180,445	\$	84,017	\$	179,934	\$	(511) -0.28%
421 Total Other - DPW Administration	\$	118,150	\$	93,777	\$	118,150	\$	- 0.00%
421 Total Expenses - DPW Administration	\$	298,595	\$	177,794	\$	298,084	\$	(511) -0.17%
422 Total Salaries - Construction and Maint.	\$	422,600	\$	213,865	\$	420,600	\$	(2,000) -0.47%
422 Total Other - Construction and Maint.	\$	934,950	\$	385,389	\$	1,007,850	\$	72,900 7.80%
422 Total Expenses - Construction and Maint.	\$	1,357,550	\$	599,254	\$	1,428,450	\$	70,900 5.22%

ACCOUNT NAME		<u>FY2019</u>	<u>FY2019</u>	<u>FY2020</u>	<u>Budget</u>	<u>% Change</u>
		<u>BUDGET</u>	<u>ACTUAL</u>	<u>BUDGET</u>	<u>FY2020 vs</u>	<u>FY2020 vs</u>
			<u>31-Dec-18</u>		<u>FY2019</u>	<u>FY2019</u>
423	Total Salaries - Snow and Ice	\$ 85,000	\$ 12,824	\$ 85,000	\$ -	0.00%
423	Total Other - Snow and Ice	\$ 32,000	\$ 52,696	\$ 32,000	\$ -	0.00%
423	Total Salaries - Snow and Ice	\$ 117,000	\$ 65,520	\$ 117,000	\$ -	0.00%
491	Total Salaries - Cemetery	\$ 167,730	\$ 88,425	\$ 178,112	\$ 10,382	6.19%
491	Total Other - Cemetery	\$ 64,000	\$ 29,717	\$ 74,000	\$ 10,000	15.63%
491	Total Expenses - Cemetery	\$ 231,730	\$ 118,142	\$ 252,112	\$ 20,382	8.80%
	Total Salaries - Public Works	\$ 855,775	\$ 399,131	\$ 863,646	\$ 7,871	0.92%
	Total Other - Public Works	\$ 1,149,100	\$ 561,579	\$ 1,232,000	\$ 82,900	7.21%
	Total Expenses - Public Works	\$ 2,004,875	\$ 960,710	\$ 2,095,646	\$ 90,771	4.53%
610	Total Salaries - Library	\$ 456,179	\$ 221,248	\$ 474,948	\$ 18,769	4.11%
610	Total Other - Library	\$ 67,826	\$ 50,955	\$ 67,826	\$ -	0.00%
610	Total Expenses - Library	\$ 524,005	\$ 272,203	\$ 542,774	\$ 18,769	3.58%
612	Total Salaries - Roosevelt Building	\$ -	\$ -	\$ -	\$ -	0.00%
612	Total Other - Roosevelt Building	\$ 36,000	\$ 13,157	\$ 32,000	\$ (4,000)	-11.11%
612	Total Salaries - Roosevelt Building	\$ 36,000	\$ 13,157	\$ 32,000	\$ (4,000)	-11.11%
619	Total Salaries - Historical Preservation	\$ -	\$ -	\$ -	\$ -	0.00%
619	Total Other - Historical Preservation	\$ 1,000	\$ 45	\$ 2,500	\$ 1,500	150.00%
619	Total Expenses - Historical Preservation	\$ 1,000	\$ 45	\$ 2,500	\$ 1,500	150.00%
	Total Salaries - Culture & Recreation	\$ 456,179	\$ 221,248	\$ 474,948	\$ 18,769	4.11%
	Total Other- Culture & Recreation	\$ 104,826	\$ 64,157	\$ 102,326	\$ (2,500)	-2.38%
	Total Expenses - Culture & Recreation	\$ 561,005	\$ 285,405	\$ 577,274	\$ 16,269	2.90%
710	Total Salaries - Principal Long Term Debt	\$ -	\$ -	\$ -	\$ -	0.00%
710	Total Other - Principal Long Term Debt	\$ 2,644,000	\$ 465,000	\$ 2,658,230	\$ 14,230	0.54%
710	Total Expenses - Principal Long Term Debt	\$ 2,644,000	\$ 465,000	\$ 2,658,230	\$ 14,230	0.54%
751	Total Salaries - Interest Long Term Debt	\$ -	\$ -	\$ -	\$ -	0.00%
751	Total Other - Interest Long Term Debt	\$ 890,595	\$ 451,918	\$ 794,015	\$ (96,580)	-10.84%
751	Total Expenses - Interest Long Term Debt	\$ 890,595	\$ 451,918	\$ 794,015	\$ (96,580)	-10.84%
752	Total Salaries - Interest Short Term Notes	\$ -	\$ -	\$ -	\$ -	0.00%
752	Total Other - Interest Short Term Notes	\$ 15,000	\$ 2,920	\$ 15,000	\$ -	0.00%
752	Total Expenses - Interest Short Term Notes	\$ 15,000	\$ 2,920	\$ 15,000	\$ -	0.00%
	Total Salaries - Debt Service	\$ -	\$ -	\$ -	\$ -	0.00%
	Total Other - Debt Service	\$ 3,549,595	\$ 919,838	\$ 3,467,245	\$ (82,350)	-2.32%
	Total Expenses - Debt Service	\$ 3,549,595	\$ 919,838	\$ 3,467,245	\$ (82,350)	-2.32%



ACCOUNT NAME	FY2019		FY2019		FY2020		Budget	% Change
	BUDGET		ACTUAL		BUDGET		FY2020 vs	FY2020 vs
			31-Dec-18				FY2019	FY2019
910 Total Salaries - Ret Sys Pension Contrib.	\$	-	\$	-	\$	-	\$	- 0.00%
910 Total Other - Ret Sys Pension Contrib.	\$	2,254,998	\$	2,254,998	\$	2,392,532	\$	137,534 6.10%
910 Total Expenses - Ret Sys Pension Contrib.	\$	2,254,998	\$	2,254,998	\$	2,392,532	\$	137,534 6.10%
913 Total Salaries - Unemployment Compens.	\$	-	\$	-	\$	-	\$	- 0.00%
913 Total Other - Unemployment Compens.	\$	50,000	\$	36,345	\$	50,000	\$	- 0.00%
913 Total Expenses - Unemployment Compens.	\$	50,000	\$	36,345	\$	50,000	\$	- 0.00%
914 Total Salaries - Health Insurance	\$	-	\$	-	\$	-	\$	- 0.00%
914 Total Other - Health Insurance	\$	5,498,689	\$	2,725,892	\$	5,520,223	\$	21,534 0.39%
914 Total Expenses - Health Insurance	\$	5,498,689	\$	2,725,892	\$	5,520,223	\$	21,534 0.39%
915 Total Salaries - Life Insurance	\$	-	\$	-	\$	-	\$	- 0.00%
915 Total Other - Life Insurance	\$	10,500	\$	4,627	\$	10,500	\$	- 0.00%
915 Total Expenses - Life Insurance	\$	10,500	\$	4,627	\$	10,500	\$	- 0.00%
916 Total Salaries - Medicare	\$	-	\$	-	\$	-	\$	- 0.00%
916 Total Other - Medicare	\$	330,000	\$	158,236	\$	343,000	\$	13,000 3.94%
916 Total Expenses - Medicare	\$	330,000	\$	158,236	\$	343,000	\$	13,000 3.94%
Total Salaries - Employee Benefits	\$	-	\$	-	\$	-	\$	- 0.00%
Total Other- Employee Benefits	\$	8,144,187	\$	5,180,098	\$	8,316,255	\$	172,068 2.11%
Total Expenses- Employee Benefits	\$	8,144,187	\$	5,180,098	\$	8,316,255	\$	172,068 2.11%
132 Reserve Fund - Original Budget	\$	250,000	\$	-	\$	250,000	\$	- 0.00%

ACCOUNT NAME	<u>FY2019</u> <u>BUDGET</u>	<u>FY2019</u> <u>ACTUAL</u> 31-Dec-18	<u>FY2020</u> <u>BUDGET</u>	<u>Budget</u> <u>FY2020 vs</u> <u>FY2019</u>	<u>% Change</u> <u>FY2020 vs</u> <u>FY2019</u>
<b><u>SALARIES</u></b>					
General Government	\$ 1,558,808	\$ 737,497	\$ 1,569,212	\$ 10,404	0.67%
Public Safety	\$ 4,492,778	\$ 2,281,476	\$ 4,652,410	\$ 159,632	3.55%
Public Works	\$ 855,775	\$ 399,131	\$ 863,646	\$ 7,871	0.92%
Cultural & Recreation	\$ 456,179	\$ 221,248	\$ 474,948	\$ 18,769	4.11%
Education - Maynard	\$ 14,364,420	\$ 5,687,305	\$ 14,995,433	\$ 631,013	4.39%
Education - Assabet	\$ -	\$ -	\$ -	\$ -	0.00%
Employee Benefits	\$ -	\$ -	\$ -	\$ -	0.00%
Debt Service	\$ -	\$ -	\$ -	\$ -	0.00%
Reserve Fund	\$ -	\$ -	\$ -	\$ -	0.00%
Peg Access	\$ 151,427	\$ 64,740	\$ 229,692	\$ 78,265	51.68%
<b>TOTAL SALARIES</b>	<b>\$ 21,879,387</b>	<b>\$ 9,391,397</b>	<b>\$ 22,785,341</b>	<b>\$ 905,954</b>	<b>4.14%</b>
<b><u>OTHER EXPENSES</u></b>					
General Government	\$ 1,382,652	\$ 850,976	\$ 1,367,833	\$ (14,819)	-1.07%
Public Safety	\$ 426,233	\$ 240,781	\$ 395,133	\$ (31,100)	-7.30%
Public Works	\$ 1,149,100	\$ 561,579	\$ 1,232,000	\$ 82,900	7.21%
Cultural & Recreation	\$ 104,826	\$ 64,157	\$ 102,326	\$ (2,500)	-2.38%
Education - Maynard	\$ 4,185,731	\$ 2,350,742	\$ 4,581,520	\$ 395,789	9.46%
Education - Assabet	\$ 1,025,434	\$ 630,787	\$ 1,122,297	\$ 96,863	9.45%
Employee Benefits	\$ 8,144,187	\$ 5,180,098	\$ 8,316,255	\$ 172,068	2.11%
Debt Service	\$ 3,549,595	\$ 919,838	\$ 3,467,245	\$ (82,350)	-2.32%
Reserve Fund	\$ 250,000	\$ -	\$ 250,000	\$ -	0.00%
Peg Access	\$ 134,394	\$ 48,006	\$ 135,706	\$ 1,312	0.98%
<b>TOTAL OTHER EXPENSES</b>	<b>\$ 20,352,152</b>	<b>\$ 10,846,964</b>	<b>\$ 20,970,315</b>	<b>\$ 618,163</b>	<b>3.04%</b>
<b><u>TOTAL EXPENSES</u></b>					
General Government	\$ 2,941,460	\$ 1,588,473	\$ 2,937,045	\$ (4,415)	-0.15%
Public Safety	\$ 4,919,011	\$ 2,522,257	\$ 5,047,543	\$ 128,532	2.61%
Public Works	\$ 2,004,875	\$ 960,710	\$ 2,095,646	\$ 90,771	4.53%
Cultural & Recreation	\$ 561,005	\$ 285,405	\$ 577,274	\$ 16,269	2.90%
Education - Maynard	\$ 18,550,151	\$ 8,038,047	\$ 19,576,953	\$ 1,026,802	5.54%
Education - Assabet	\$ 1,025,434	\$ 630,787	\$ 1,122,297	\$ 96,863	9.45%
Employee Benefits	\$ 8,144,187	\$ 5,180,098	\$ 8,316,255	\$ 172,068	2.11%
Debt Service	\$ 3,549,595	\$ 919,838	\$ 3,467,245	\$ (82,350)	-2.32%
Reserve Fund	\$ 250,000	\$ -	\$ 250,000	\$ -	0.00%
Peg Access	\$ 285,821	\$ 112,746	\$ 365,398	\$ 79,577	27.84%
<b>TOTAL EXPENSES MAYNARD</b>	<b>\$ 42,231,539</b>	<b>\$ 20,238,361</b>	<b>\$ 43,755,656</b>	<b>\$ 1,524,117</b>	<b>3.61%</b>
Budget Prior to Reserve Fund Calculation	\$ 41,981,539	\$ 20,238,361	\$ 43,505,656	\$ 1,524,117	3.63%

ACCOUNT NAME	<u>FY2019</u>	<u>FY2019</u>	<u>FY2020</u>	<u>Budget</u>	<u>% Change</u>
	<u>BUDGET</u>	<u>ACTUAL</u>	<u>BUDGET</u>	<u>FY2020 vs</u>	<u>FY2020 vs</u>
		<u>31-Dec-18</u>		<u>FY2019</u>	<u>FY2019</u>
Total Town W/O PEG and Reserve Fund	\$ 10,426,351	\$ 5,356,845	\$ 10,657,508	\$ 231,157	2.22%
PEG Access	\$ 285,821	\$ 112,746	\$ 365,398	\$ 79,577	27.84%
Education	\$ 19,575,585	\$ 8,668,834	\$ 20,699,250	\$ 1,123,665	5.74%
Employee Benefits	\$ 8,144,187	\$ 5,180,098	\$ 8,316,255	\$ 172,068	2.11%
Debt Service	\$ 3,549,595	\$ 919,838	\$ 3,467,245	\$ (82,350)	-2.32%
Reserve Fund	\$ 250,000	\$ -	\$ 250,000	\$ -	0.00%
	<u>\$ 42,231,539</u>	<u>\$ 20,238,361</u>	<u>\$ 43,755,656</u>	<u>\$ 1,524,117</u>	<u>3.61%</u>
Total Town W/O PEG and Reserve Fund	\$ 22,120,133	\$ 11,456,781	\$ 22,441,008	\$ 320,875	1.45%
PEG access	\$ 285,821	\$ 112,746	\$ 365,398	\$ 79,577	27.84%
Education	\$ 18,550,151	\$ 8,038,047	\$ 19,576,953	\$ 1,026,802	5.54%
Education - Assabet	\$ 1,025,434	\$ 630,787	\$ 1,122,297	\$ 96,863	9.45%
Reserve Fund	\$ 250,000	\$ -	\$ 250,000	\$ -	0.00%
<b>TOTAL EXPENSES MAYNARD</b>	<u>\$ 42,231,539</u>	<u>\$ 20,238,361</u>	<u>\$ 43,755,656</u>	<u>\$ 1,524,117</u>	<u>3.61%</u>

**APPENDIX B**

**Chapter \_\_\_\_\_**

**THE COMMONWEALTH OF MASSACHUSETTS**

**In the Year Two Thousand and \_\_\_\_\_**

**AN ACT AUTHORIZING THE TOWN OF MAYNARD TO GRANT ADDITIONAL  
ALCOHOLIC BEVERAGES LICENSES**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Notwithstanding Section 17 of Chapter 138 of the Massachusetts General Laws, the licensing authority of the Town of Maynard may grant one (1) additional license, in addition to the three (3) which they current have, for the sale of all alcoholic beverages to be drunk off premise under Section 15 of said Chapter 138. The license shall be subject to all of said Chapter 138, except Section 17.

SECTION 3. Notwithstanding Sections 12 and 77 of Chapter 138 of the Massachusetts General Laws, the licensing authority of the Town of Maynard may restrict the licenses issued pursuant to this Act to holders of common victualler licenses.

SECTION 4. This Act shall take effect upon its passage.